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MEMORIAL

FOR THE

BIBLE SOCIETIES

IN

SCOTLAND:

CONTAINING

REMARKS

ON THE

COMPLAINT OF HIS MAJESTY'S PRINTERS

AGAINST

THE MARQUIS OF HUNTLY AND OTHERS.

WITH

AN APPENDIX,

CONSISTING OF MANY ORIGINAL PAPERS.

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EDINBURGH:
PRINTED FOR THE EDINBURGH BIBLE SOCIETY.

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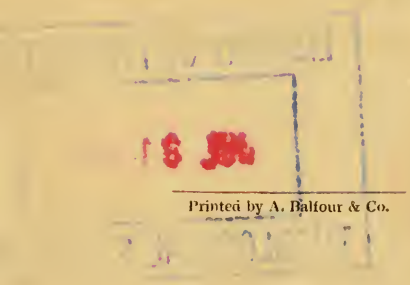

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NOTICE.

THE COMMITTEE of the EDINBURGH BIBLE SOCIETY, who, in taking charge of this publication, have endeavoured to fulfil their duty to their constituents, trust that all who are friendly to the cause in which they are engaged, will perceive the necessity of imposing a price on the copies sold, for the purpose of defraying the unavoidable expense already incurred. If any profits shall arise from the sale, they will be added to the amount of Subscriptions about to be opened for defending the interest, which not only the Bible Societies, but the public in general have in this question. Contributions will be received by the Secretaries and Treasurers of the different Bible Societies in Scotland. Copies of the Memorial are sold at the Depositories of the Bible Societies, and at the shops of the principal booksellers in Edinburgh, Glasgow, Aberdeen, Perth, Dundee, Arbroath, Cupar, Dumfries, Greenock, Paisley, Haddington, Jedburgh, Inverness, Kelso, Montrose, Stirling, &c.

CONTENTS.

INTRODUCTION.

Remarks on the Complaint of his Majesty's Printers.

Appendix of Original Papers.

Opinion of Counsel.

INTRODUCTION.

In the course of last autumn, the acting members of the Bible Societies of Aberdeen, Arbroath, Ayrshire, Berwickshire, Brechin, Buchan, Dumfries-shire, Dundee, Edinburgh, Elgin and Morayshire, Fife and Cupar, Forres, Fort-William, Glasgow, Greenock, Port-Glasgow and West Renfrewshire, Haddington, Jedburgh, Inverness, Kelso, Kilmarnock, Lanark, Linlithgow, Montrose, Perthshire, Ross-shire, Stirlingshire, Stranraer, and Thurso, received printed intimations in the following terms:—

BILL-CHAMBER.

(FIRST DIVISION.)

Bill of Suspension and Interdict, His Majesty's Printers against the Most Noble the Marquis of Huntly and Others.

Our Lords of Council and Session:—Unto your Lordships humbly complain and show your servitors Sir David Hunter Blair, Bart. and John Bruce, Esq. His Majesty's

Printers for Scotland, conform to letters patent under the Union Seal, bearing date 2d November 1785, of which a notorial copy is herewith produced, that they find it necessary to complain of encroachments upon a privilege, exclusively annexed to their office, which it is not less their duty than their right to maintain inviolate. The complainers refer to the important trust delegated to them by His Majesty, of furnishing, within this part of the United Kingdom, correct impressions of the Holy Bible, and other publications, of which the superintendence forms an inherent and important part of the Royal Prerogative. They also consider it proper to state in the outset, that it is more particularly their immediate object and their duty to prevent, by an interdict from your Lordships, the introduction and sale of Bibles, and other Prerogative Books, printed by or under the authority of the King's Printers in England, or by the delegates of the Universities of Oxford and Cambridge; who, whatever may be their duties, or their privileges in England, do not appear in a responsible capacity in Scotland; nor have they any right or title to participate within the bounds assigned to the complainers in the profits and emoluments arising from the publications in question. Such profits and emoluments indeed must be regarded as being legally connected with the two-fold object of remunerating the official services and duties of the complainers, and affording to them an adequate compensation for the great expenditure required for maintaining the extensive establishment connected with their office, and for a large capital embarked in it, and which may be justly said, to a considerable extent, to be sunk in the prosecution of the business. Nor can an

application intended for the security of those objects be justly ascribed to any improper motive, when it is peculiarly directed against the unauthorized publication and sale in Scotland of books printed by or under the authority of individuals or corporate bodies, who are themselves privileged Printers in England, and to whom no concession is due upon the principle of reciprocal indulgence, as they are particularly rigorous in repressing, within the bounds of their own patents, whatever can be construed as an attempt to vend or publish the books of the complainers.

The patent under which the complainers enjoy their office, was granted to the late Sir James Hunter Blair, Baronet, whom the first mentioned complainer now represents, along with the other complainer, John Bruce, before the expiration of a previous patent, which had been obtained by the late Alexander Kincaid, about the middle of last century; and His Majesty thereby appointed the said deceased Sir James Hunter Blair and the said John Bruce to be His Majesty's Printers in the following terms:

"Nominamus, constituimus, et ordinamus, memoratos Jacobum Hunter Blair, et Joannem Bruce, conjunctim, hæredes eorum, substitutos, seu assignatos, solos et unicos nostros architypographos, in illa parte regni nostri Magnæ Britanniæ, Scotia vocat. Idque pro spatio quadraginta unius annorum, computand. ab et post expirationem diplomatis, pro præsenti existentis, præfato Alexandro Kincade, pro simili spatio quadraginta unius annorum, concessi: Cum plena potestate ipsis Jacobo Hunter Blair, et Joanni Bruce, conjunctim, eorumq. hæredibus, assignatis, seu substitutis, antedict. præfato munere et officio, durante spatio antedicto,

utendi, exercendi, et gaudendi, cum omnibus proficuis, emolumentis, immunitatibus, exemptionibus, et privilegiis quibuscunq. eidem spectantibus in quantum cum articulis Unionis, legibusq. Magnæ Britanniæ nunc existentibus, congruunt. ET SPECIATIM, solum et unicum privilegium imprimendi, in Scotia, Biblia Sacra, Nova Testamenta, Psalmorum libros, libros Precum Communium, Confessiones Fidei, majores et minores Catechismos in lingua Anglicana; —necnon solam potestatem imprimendi, et reimprimendi, acta Parliamenti, edicta, proclamationes, omnesq. alias chartas in usum nostrorum publicorum in Scotia officiorum, imprimendas: Et generaliter omne quod ibidem publicandum erit, auctoritate regali, imprimendi, et reimprimendi: PROHIBEN. per præsentes, omnes alias personas quascunque, tam nativos quam extraneos, imprimere, vel reimprimere, seu imprimi, seu reimprimi in Scotia causare, vel importare, seu importari facere in Scotiam, a quibusvis locis transmarinis, ullos dict. librorum, et chartarum publicarum, supra mentionat. absq. licentia vel auctoritate a dict. Jacobo Hunter Blair, et Joanne Bruce, hæredibus eorum, assignatis, vel substitutis, sub pœna confiscationis omnium talium librorum, chartarumque publicarum, ita impress. seu importat. in Scotia; unius eorund. dimidii ad nos, alteriusq. in usum dict. Jacobi Hunter Blair, et Joannis Bruce, eorumque antedict."

By a separate patent, which it is unnecessary to recite, the grantees were at the same time appointed to be His Majesty's Booksellers, Book-binders, and Stationers, for the like space of 41 years after the expiration of a corresponding patent which was then current in favour of Mr. Kincaid's representatives.

The operation of the patents in question commenced in July 1798, when the preceding patents terminated; and the complainers may assert, without the least risk of contradiction, that the duties of their office have hitherto been discharged with the utmost fidelity and correctness, and suitably, in every respect, to the important trust committed to them. It is impossible to look at the extensive buildings in Edinburgh, where their business is carried on, without being satisfied that they at least have not been sparing in the expenditure requisite for enabling them to perform their official duties creditably and effectually. The expense of these buildings, however, great as it has been, is not nearly equal to the other charges of various descriptions which the complainers have had occasion to incur, from an impression that it is incumbent upon them to serve the public properly, and under the faith of their being entitled to enjoy the relative profits and emoluments without interference from any quarter.

In the outset of the undertaking there was little inducement to investigate any transient encroachments, through the sale in Scotland of Bibles printed, either by his Majesty's Printers in England, or under authority from the Universities of Oxford and Cambridge, who claim a concurrent right with the English Printers to print and publish Bibles. The complainers could have little to apprehend from any such encroachment, while they were conscious of bringing to market at least equally good and equally cheap articles, and while by a reciprocal tolerance of the sale of their own books in England, they were adequately compensated for any competition which could thus arise in Scotland.

In the beginning of the year 1802, however, a bill of injunction was exhibited to the High Court of Chancery on behalf of the Chancellors, Masters, and Scholars, of the two Universities, against Messrs. William, John, and James Richardson, Booksellers in London, who were in the practice of selling Bibles and Books of Common Prayer printed by the complainers, and likewise against Messrs. George Eyre and Andrew Strahan, His Majesty's Printers in England, who had declined to join in the application, as plaintiffs, and whom it was therefore necessary, by the forms of the Court of Chancery, to call as defendants. The bill prayed, that Messrs. Richardson might be enjoined from selling or exposing to sale any more copies or impressions of the said several Books printed in Scotland, or elsewhere, without the consent or authority of the Universities, and of Messrs. Eyre and Strahan, or of some or one of them. Upon this bill, and before hearing Messrs. Richardson, the Court of Chancery, on 20th January 1802, *granted an immediate injunction*, in the terms prayed, until answer or farther order. In the sequel the complainers will advert more particularly to the discussions which followed. It is here sufficient to mention, that, after an answer had been made by Messrs. Richardson, and the parties heard at great length for three days, the Lord Chancellor was pleased to pronounce an order, on 3d March, 1802, " That the injunction be continued until the hearing of the cause;"—which order was, on 4th May, 1804, affirmed in the House of Lords, upon discussing an appeal for Messrs. Richardson, and hearing counsel for six days. As the Universities, however, never insisted for an account of profits, for which their bill also concluded, and as the defend-

ants in Chancery did not see any reasonable prospect of having the injunction dissolved, no subsequent hearing of the cause took place.

From what cause it proceeded, that no application against any other Booksellers ever was made at the suit of the Universities, the complainers do not know; but as, in fact, they did not proceed any farther, the complainers did not, in consequence of the injunction against Messrs. Richardson, immediately, or till a comparatively recent period, experience any such interruption to, or diminution of, the orders which they had been accustomed to receive from Booksellers in England, as to render it necessary or expedient to inquire, whether, or to what extent, the Bibles or other Prerogative Books of the Universities, or King's Printers in England, might be occasionally vended in Scotland. Of late, however, a most essential alteration of circumstances has taken place. The King's Printers in England have recently directed their attention to the printing of Bibles; and they have concurred with the Universities in adopting most rigorous measures for the avowed purpose of completely excluding the sale of Scottish Bibles within that part of the United Kingdom. Accordingly, they have not only obtained injunctions against a great number of venders of such Bibles or other Prerogative Books; but very considerable sums of money, under the description of Penalties, or Compositions to avert Prosecutions, have been levied from a numerous body of individuals. The immediate consequence has been, an effectual and complete exclusion of the Books of the complainers from the English market.

This, perhaps, is a consequence of which they might not be entitled to complain in a Court of Justice, if the English

Patentees were satisfied with having secured the exclusive command of their own market, and did not also indicate a manifest disposition to overstep their own proper limits, and to compete with the complainers in the market within Scotland; but to be totally excluded from the English market, while, at the same time, their sales in Scotland are, to a very great extent, narrowed by the interference of unauthorized rivals, was a hardship to which the complainers could not submit without endeavouring to obtain redress.

With this view the complainers, in the month of June 1821, presented a Bill of Suspension and Interdict to your Lordships, against Messrs. Manners and Miller, Messrs. Waugh and Innes, and William Blackwood, all Booksellers in Edinburgh; and Messrs. James Brash and Co., Messrs. John Smith and Co., and William Turnbull, all Booksellers in Glasgow, praying that they should be prohibited and interdicted from, directly or indirectly by themselves, or others having their authority, selling, or exposing to sale within Scotland, or importing, bringing, or receiving, or causing to be brought or imported into Scotland, any Bibles, New Testaments, Psalm Books, Books of Common Prayer, Confessions of Faith, or Larger or Shorter Catechisms in the English language, not either actually printed by the complainers, or on their account, or sanctioned by their licence or authority in writing; and, in particular, from directly or indirectly selling or exposing to sale within Scotland, or bringing, receiving, or importing into Scotland, (without the licence or authority of the complainers in writing,) any Bibles, or other such Books as aforesaid, printed by, or on account of, or

under the authority of the Universities of Oxford or Cambridge, or His Majesty's Printers in England.

The bill having been passed, and the letters expede, the cause came, in the course of the rolls, before Lord Gillies, when his Lordship pronounced the following interlocutor, Dec. 18, 1821: "Having heard parties' procurators, repels the reasons of suspension, refuses the interdict, and decerns."

A representation having been given in, which was followed with answers, and the cause having come to be advised by Lord Meadowbank, on Lord Gillies being removed into the Inner House, his Lordship pronounced the following interlocutor, March 9, 1822: "Having advised this representation with answers, in respect of the decision, May 22, 1790, King's Printers *v.* Bell and Bradfute, recalls the interlocutor reclaimed against; and before farther answer, appoints the parties to prepare and box Informations on the whole cause to the Court by the second box day in the ensuing vacation."

Informations having been lodged, the Lords of the First Division, on advising the same, ordered the cause to be heard in presence; and it was heard accordingly on the 21st, 28th, and 31st January, and 28th February, 1823.

Several arguments, which were urged for the defenders in their information in this case, were given up at the hearing: 1*st*, It was contended in the information, that, although the defenders did not absolutely dispute the Crown's exclusive privilege of printing the Bible, still they urged that this prerogative must be viewed in the light of an odious monopoly; that the Court ought to regard it with jealousy and suspicion, and do every thing in their power to limit and restrict it; and that, therefore, they should apply the strictest

possible construction to the Crown's grants. At the hearing, it was admitted that the Crown's prerogative, as to printing the Bible, was an important and beneficial trust reposed in the Crown by the constitution, for the preservation of the purity of the sacred Scriptures.

2dly, It was maintained in the information, that the King had the right of exclusive printing of the Bible only as King of England, as his right was derived from the circumstance of the English Government having been at the expense of translating the Scriptures from the original languages into the vulgar tongue; and that, as the Government of Scotland had not contributed to this expense, the King, as King of Scotland, had no more power of printing the Bible than any other person.—At the hearing it was admitted, that the prerogative was founded on reasons of religion, policy, and state, and that the King of Scotland had the same prerogative, in this matter, as the King of England.

3dly, In the information it was stated, that the importation of Bibles from England to Scotland had, at all times, both before the Union and since, been free and unrestricted, and that none of the Scottish Patents contained any power of preventing this. In the course of the hearing, reference was made to the first patent extant to a King's Printer in Scotland, which was that to Miller and Chapman, in the reign of James the Fourth; and also to another granted in 1672 by Charles the Second to Andrew Anderson, which was the one current at the Union; and to a third granted after the Union by Queen Anne to Robert Freebairn, all of which were admitted by the defenders to contain clear powers of

exclusion of English Bibles from being sold in Scotland, and therefore the former statement was admitted to be erroneous.

4thly, In the information it was contended, that the 4th article of the Union was a bar to the complainers' application; for that that article having established a free intercourse of trade between England and Scotland, this, it was said, included the trade of Bibles as well as other trades.—At the hearing it was admitted, that the fourth article of the Union had no application to matters of prerogative, but only to the ordinary subjects of a free trade, and did not afford any support to the argument of the defenders.

The cause, therefore, was rested at the hearing on the terms of the prohibitory clause of the complainers' patent, which were contrasted with those of the other patents granted before the Union, or immediately after it. The terms of the prohibition of the complainers' patent have already been quoted.

The patent in 1672 to Andrew Anderson, contains a power of prohibiting the importation of Bibles from all places *out of the Kingdom of Scotland, or from beyond sea.* That granted to Robert Freebairn in 1711, is in the same terms; but Freebairn's patent having been supposed to be forfeited by his accession to the rebellion in 1715, a new patent was granted to John Basket and Agnes Campbell in 1716, the terms of which are different from the former, as the prohibitory clause only, *in terminis*, confers the power of preventing importation *from places beyond sea.* The two subsequent patents, one in 1747 to Alexander Kincaid, and the other in 1785 to the complainers, contain the same prohibitory clause as the one granted to Basket in 1716; but all these three

last patents contain the clause already quoted, conferring on the Patentee all the powers conferred on former Patentees, so far as not inconsistent with the Act of Union and the existing laws of Great Britain.

Upon this difference between the prohibitory clauses of the later patents, contrasted with those of the earlier ones, the argument of the defenders, at the hearing, was almost exclusively rested. They urged, that no motive could be figured why the terms of the prohibition should be narrowed, in the later patents, except that the Crown had purposely and deliberately omitted in them the power of preventing importation from England, with a view of allowing English Bibles to be sold in Scotland; and that this was done with the farther view of establishing a competition between the English and Scottish Patentees, and thereby keeping down the price. It was farther argued, that this was the more probable, as there does exist in England a certain degree of competition, from the power of printing the Bible being there vested in each of the Universities, as well as the King's Printer; whereas in Scotland there would be a complete monopoly, if the English Bibles were excluded.

For the complainers it was stated, that it was impossible that this could be a sound interpretation of a patent, granted under the Great Seal of Scotland; for that in respect to Scotland, the English King's Printer and the English Universities were entitled to no other consideration than any other printer. Their holding gifts or licences under the Great Seal of England clothed them with no authority whatever in Scotland; for by the articles of the Union, the Great Seal of England is declared to be altogether confined to England, in

matters of municipal law and patrimonial right; and therefore, if it were held that the English King's Printer could import Bibles into Scotland, it followed that any ordinary printer in England might print Bibles there, and send them into Scotland, which could not possibly be the meaning of the Scottish patents.

There was also produced, by the complainers, an authenticated copy of an opinion of Sir James Stewart, who was Lord Advocate in the reign of Queen Anne, from which it appeared, that the doubt before alluded to, whether the fourth article of the Union did not operate as a bar to the Crown's granting a power of preventing importation of Bibles from England, in respect of the regulation as to a mutual free trade, had been originally started in the interval which elapsed between the granting of the patent in 1711 and the date of that in 1716. Sir James Stewart states it as his opinion, that the patent 1711, in as far as it contained that power of prohibiting importation from England, was a violation of the Act of Union, and that the patent was thereby rendered, if not absolutely void, at least extremely questionable. In making out the patent 1716, therefore, it seems to have been thought better not to insert the power in express terms, but to introduce a clause, conferring on the Patentee, generally, all the powers possessed by former Patentees, and which the Crown could lawfully confer upon a subject, in relation to this branch of the prerogative. The words of the patent are these: "Cum omnibus proficuis, emolumentis, immunitatibus, exemptionibus, et privilegiis quibuscunque eidem spectantibus, in quantum cum articulis unionis legibusque Magnæ Britanniæ nunc existentibus congruunt;" which words could have

no other meaning than that above stated, and were amply sufficient to convey to the Patentee the power in question, supposing that it turned out to be a legal power. A clause to the very same effect being contained in Mr. Kincaid and the complainers's patents, and the power of preventing importation from England being now admitted to be perfectly competent and legal for the King to grant, it was contended for the complainers, that this power of exclusion of English Bibles was clearly contained in their gift.

The complainers quoted as an authority, strongly bearing upon the present question, the decision of the Court of Chancery in England in 1802, which was affirmed on appeal to the House of Lords in 1804, pronounced in the case before mentioned, at the instance of the Universities of Oxford and Cambridge against Messrs. Richardson. The proceedings in that case had been taken in short hand by Mr. Gurney; and a copy having been procured by the complainers, they printed the speech of the Lord Chancellor in Chancery, and the speeches of the Lord Chancellor and Lord Ellenborough in the House of Lords, and laid them before the Court. From these speeches, and from some extracts of the argument of the Counsel, which were also printed, the complainers showed that the rights of the English Universities were of an infinitely weaker nature than that conferred by the Scottish patent, as the Universities founded on titles which they admitted to have been originally mere licences to print all books in general, granted at a time when no person could print any thing without the royal authority. These licences, however, had in the year 1758, in the case Basket *v.* the University of Cambridge, been sustained by the Court of King's Bench,

as vesting in the Universities a right, concurrent with that of the English King's Printer, to print Bibles and Acts of Parliament. Having the right, therefore, delegated to them by the Crown, of exercising this important branch of the prerogative, the Court of Chancery and the House of Lords were of opinion that the right of exclusion followed of course, as a necessary adjunct to the principal right, for without it the office could not be exercised with effect. The King's right of printing the Bible being *ex sua natura* exclusive; and it being the duty of the Crown to grant such powers to its officers, as should secure the effectual performance of the office, it was held, that whether this delegation was in the form of a licence or any other, the power of exclusion must be held to have been conferred, if this could by any interpretation be made consistent with the terms of the grant, and without the necessity of any express prohibition or exclusion of others.

To this it was answered for Messrs. Manners and Miller and others, defenders, that these were not the grounds of the decision of the Court of Chancery in the case of Richardson; but that the Court held, that the Universities, having a concurrent right with the English King's Printer, were entitled to the benefit of the prohibitory clause of the King's Printers' patent; and as that gives a power of preventing importation from all places *out of the Kingdom of England, or from beyond seas*, it was contended that it was under the operation of this prohibitive clause that the Universities obtained their injunction against Richardsons.

It was replied, that it was quite clear from the terms of the Lord Chancellor's speech, that this was not the ground upon which he proceeded, as he states distinctly that his

grounds were different. It is no doubt true, that the English Printers' patent contains such a clause as that stated, and it was tried, in the Court of Chancery, by the Counsel of the Universities, to avail themselves of the foregoing argument; but it had no weight with the Lord Chancellor; and, in the House of Lords, they found it so untenable, that they fairly gave it up, as appeared by a passage in the speech of one of them, (Mr. Attorney General Perceval,) printed by the complainers in their appendix. The Universities admitted that their licences being long prior in date to the patent of Messrs. Eyre and Strahan, the licences must either have conferred upon the Universities these exclusive powers from their own dates, or that they must give up that claim now; but they contended that they would have had those powers although the King's Printers' patent had never been granted.

The complainers also founded upon the authority of the decision in the case of the King's Printers *v.* Bell and Bradfute, 22d May, 1790, where the same argument was used as in the late case, that the prohibitory clause in the Scottish patents being only a power of excluding importation *a locis transmarinis*, this did not include a Bible printed in Berwick, called Ostervald's Bible, as to which an interdict was craved. This argument is not alluded to in the report of the case in the Faculty Collection; as the principal point upon which the decision turned, related to the power of printing the Bible accompanied by a commentary; but it appears from the printed papers preserved in the Advocates' Library, that it was distinctly brought before the Court, and repelled by them, as they interdicted the Berwick Bibles, as well as

those printed in Scotland, wherever the commentary only bore a small proportion to the text.

Reference was also made at the hearing, by the defenders, to the usage which had taken place, of selling English Bibles in Scotland since the Union; and it was argued, that as this usage had been uninterrupted, this fortified their interpretation of the prohibitory clauses of the different patents.

For the complainers, it was answered, that between the years 1711 and 1757, John Baskett was King's Printer both for England and Scotland; and that no usage which took place under such peculiar circumstances could have any effect upon the present question. From the year 1757 till the year 1818, which comprehended the whole of Kincaid's patent, and the first half of that of the complainers, no interruption had been experienced by the Scottish Patentees in selling as many Bibles in England as they could get orders for, the injunction against Messrs. Richardson not affecting the other booksellers of England; and they sold as many as the English printers sold in Scotland. It was not their interest, therefore, to stir the question while this lasted; and the mutual tolerance was just a mutual licence granted by the English and Scottish Patentees to one another, which licences they were perfectly entitled by their several patents to grant; and that therefore the usage being consistent with the grant, it was impossible that it could narrow the powers conferred on the grantee, and far less could it narrow the Crown's prerogative. It followed, therefore, that as soon as the English Patentee withdrew his licence, the Scottish Patentee was entitled to do the same.

Upon hearing this debate, the Court, of this date, 7th March, 1823, pronounced the following interlocutor: "The Lords having resumed consideration of the mutual informations given in for the parties in this case, and having heard the counsel for the parties in their own presence, they sustain the reasons of suspension, suspend the letters simpliciter, grant the interdict as craved, and decern accordingly; but supersede extract until the first sederunt day in May next."

No reclaiming petition has been presented against this interlocutor, but an appeal has been entered to the House of Lords.

After so solemn a judgment as the above, pronounced upon such mature consideration and full discussion, the complainers conceived that there could be no doubt of their right to have an interdict against every person engaged in the trade of bookselling in Scotland, to prevent the sale of English Bibles. The three firms of bookselling companies in Edinburgh, and three in Glasgow, against whom the interdict was granted, are not distinguishable in any way from the other booksellers in Scotland. It was distinctly stated to the Court, that the first bill of suspension and interdict was presented for the purpose of establishing the right, and that if the application were successful, interdicts would be applied for against others in the same situation as the original defenders.

The complainers therefore presented a second bill of suspension and interdict against upwards of two hundred booksellers, being all those of the trade in Scotland whose names were then known to the complainers. This bill stated the

facts and arguments of the case exactly in the terms above set forth; and prayed that all those persons might be prohibited and interdicted from importing or selling Bibles printed in England, in the same terms as the prayer of this bill after mentioned; and upon advising the bill, the Lord Ordinary, (Lord Pitmilly,) of this date, 2d April, 1823, ordered it to be answered and intimated in common form, *and granted the interdict.*

The bill, interdict, and order to answer, were accordingly intimated to all the parties, but no answers were put in; and the Lord Ordinary passed the bill, and continued the interdict.

The complainers have thus obtained the protection for which they applied, against the invasion of their privileges, on the part of all those persons in Scotland who were engaged in selling Bibles in the way of trade, with a few exceptions, to be afterwards mentioned. They are still, however, exposed to a very heavy and constant loss from the circumstance of many of the Bible Societies, which are established in all parts of Scotland, being in the habit of ordering large supplies of Bibles, &c. from England; and it is to this subject principally that they now find it necessary to call your Lordships' attention.

Nothing can be more benevolent and praise-worthy than the conduct of those numerous individuals after mentioned, of all ranks and classes, from the highest to the lowest, who compose the different Societies established in Scotland for distributing Bibles, and other religious books, at a low price, to those whose circumstances require such assistance; but this consideration cannot, the complainers conceive, make the

least difference in the question, as to the legality or illegality of circulating Bibles, printed without an authority which can be acknowledged as lawful in Scotland.—The grounds upon which the Court has granted the interdict against the booksellers, have no reference to the particular mode in which the Booksellers carry on their trade, but to the nature of the books which they sold.—The Court was of opinion that the sole right of regulating the mode in which the subjects in Scotland should be supplied with Bibles was vested in the Crown; that the only way in which the King's will as to this matter could be communicated to his Scottish subjects, was by a Writ under the Great Seal of Scotland, a Writ under the Great Seal of England having no more effect within Scotland, than one under the Great Seal of France, or one under the seal of a private individual; that his Majesty, by his patent granted to the complainers, has declared his will to be, that the complainers alone shall have the sole and exclusive power of furnishing authentic copies of the Holy Scriptures for the use of the people of Scotland; that all importation of Bibles from England or elsewhere shall be prohibited; and that this prohibition comprehends the Bibles printed by the English King's Printers and Universities, which in Scotland must be considered to be as unauthentic as those printed by any ordinary printer.

These principles, the complainers conceive, must be held as established by the foregoing solemn decision, unless they shall be altered by a higher authority; and, in the meantime, your Lordships will act upon them. It seems quite obvious that they are just as applicable to the case of the members of a Bible Society, who import Bibles and sell them at prime

cost, as to that of a bookseller who sells for a profit. The motives of the party importing do not enter into the question. In both cases, the lawful orders of the Crown are disobeyed, and the public is supplied with copies not printed under an authority which is legal in Scotland; and, in both cases, those who are entrusted with the duty, and who incur the responsibility, of providing a supply of legal copies, are entitled to complain of an encroachment on their rights.

It certainly would be highly unjust towards the Booksellers, after they have all been laid under an interdict, if the Bible Societies are not only to undersell them in the trade of lawful Bibles, but that they should be allowed to import books which the Booksellers cannot import. The complainers must also say that they think it a most severe hardship upon them, that the large sums of money which are annually received from the contributions of charitable individuals in Scotland, should be remitted to England, to purchase books which, according to the law of Scotland, must be considered as unauthentic copies of the Holy Scriptures, while it cannot be denied that there is an ample supply of Bibles legally printed in Scotland; while it must be admitted that the books of the complainers, equal in point of quality to those of the English printers, are at least 20 per cent. cheaper; and while the most rigorous measures are adopted in England to prevent a single copy of the Bibles of the complainers from being circulated there, either in the way of charity or trade.

The complainers therefore submit, that they are entitled to an interdict, in the terms after-mentioned, against the persons after-named, members of the different Bible Societies after-specified, and also against the Booksellers after-named,

who were omitted in the former application, viz. the following persons, members of the Aberdeen Auxiliary Bible Society, viz. the Most Noble the Marquis of Huntly, &c.

Herefore the Complainers beseech your Lordships to appoint intimation of this Bill; and upon advising the same, with or without answers, to grant letters of suspension in the premises, upon caution, in common form, accompanied by an interdict, prohibiting and discharging the whole persons before named and designed, as members of the foresaid Societies, or as individuals, from directly or indirectly, by themselves or their branches, or others having their authority, selling or distributing within Scotland, or importing, bringing, or receiving into Scotland, or causing to be sold, distributed, imported, brought, or received within or into Scotland, any Holy Bibles, New Testaments, Psalm Books, Books of Common Prayer, Confessions of Faith, or Larger or Shorter Catechisms in the English language, not either actually printed by the Complainers, or on their account, or sanctioned by their license or authority in writing; and, in particular, from directly or indirectly selling, distributing, importing, bringing, or receiving, within or into Scotland, (without the license of the Complainers in writing,) any Bibles or other such Books as aforesaid, printed by or on account of, or under the authority of His Majesty's Printers for England, or the Universities of Oxford or Cambridge,

or any of them; and also, in the mean time, to grant an immediate interdict against the whole persons before named, in terms and to the effect before craved, to endure until this bill shall be ultimately advised.

According to justice, &c.

(Signed) JOHN BELL.

Edinburgh, 20th August, 1823.

(Signed) WM. SCOTT.

Edinburgh, 20th August, 1823.

The Lord Ordinary having considered this Bill, with writings produced, Appoints the same to be seen and answered within forty days; but reserving consideration of the Interdict till the Bill shall come to be advised with or without answers.

(Signed) WILLIAM MILLER.

This interlocutor, and the order to answer, were intimated to the members of the Committee of the Edinburgh Bible Society on the 11th of September. It appeared to have been sent ten days sooner to some parts of the country, as at the monthly meeting of the Edinburgh Committee, on the 15th of September, various letters from distant places were produced, all expressing anxiety, and soliciting advice, in consequence of the summons

which had been served upon the members of various Societies about the beginning of the month. At this time many of the members of the Edinburgh Committee were in the country, and the only step which the meeting ventured to take was to appoint a Sub-Committee to correspond with other Societies, and to prepare a case to be laid before counsel. This part of the task devolved on the Convener of the Sub-Committee, who, at a subsequent meeting, read an abstract of a Memorial, which met the approbation of the Committee, at whose desire it was printed. Some delay was occasioned by the difficulty of obtaining copies of several material papers ; but before the end of December a small impression of the Memorial was thrown off for the use of counsel and the members of the Committee. The opinion of counsel was given on the 31st of January. In the interval, however, the bill was passed, and the interdict granted; no answers having been put in. And now, on the 17th of April, the members of the Committee are warned to appear before the Lords of Council and Session on the 14th of May next, bringing with them " the whole grounds and warrants founded on by them and others, to be seen and considered by the said Lords, and to hear and see the same, whole effect and execution thereof, and all that has fol-

lowed or may follow thereupon *simpliciter* suspended." If answers be not given in then, the interdict may become final on the 21st of May.

The case, however, is not without remedy. The members of the Edinburgh Bible Society were dissuaded by their correspondents in the country from engaging in a law-suit till they had taken legal advice, and even after a favourable opinion was obtained, they did not feel themselves entitled to apply a single farthing of the funds at their disposal to any other purposes than those to which they were destined by the contributors. Important as are the rights involved in this question, it will be necessary to raise a separate fund for defending them. The Memorial, considerably enlarged, is now therefore laid before the public, in the hope that the merits of the cause will be gravely and earnestly considered.

The writer of it was requested to supply full information, and, though his own views are perfectly decided, he has not felt himself at liberty to omit any particulars which occurred to his memory, however little they might appear calculated to support the cause which he undertook rather to investigate than to defend. He is aware that several of the discussions will be considered in some degree extraneous; but he is persuaded that such of

them as are most liable to this objection, will be read, not without interest, by many who have not enjoyed the same access to the sources of information which he has had occasion to explore. The paper has been written with much haste, in the midst of numerous avocations and hourly interruptions, from which it was impossible for the author to escape, without neglecting his most sacred duties.

While he has been most solicitous to avoid mistakes in matters of fact, he has not been in the smallest degree studious of expression,—and he would ill repay the confidence which has been reposed in him by a most respectable body of men, if he did not seize this opportunity of declaring that, with the exception of the statements concerning the prices, (in pages 2, 3, and 4,) he holds himself individually responsible for all the facts and conclusions contained in the following memorial.

On the question of price, as discussed in these paragraphs, it is necessary to premise a brief explanation.

The Edinburgh Bible Society, established in 1809, was, in one respect, *auxiliary* to the British and Foreign Bible Society, but in another *independent*, as the members reserved the liberty of acting for themselves, both with regard to the home supply of Bibles, and occasional donations in behalf

of foreign objects. Being, therefore, under no positive obligation to resort to England for copies of the Scriptures, the members would not certainly have failed to provide the articles wanted, if they had found them duly executed, in their own city, so as to be obtained at a moment's notice, without the trouble of correspondence, and the expense of carriage. The truth is, however, that scarcely any such copies of the sacred volume as they chiefly required, either in point of size or execution, had been printed in Scotland, at least for a long series of years. Whatever improvements may have been made by his Majesty's Printers for Scotland in the editions which they have published since 1809, certain it is, that the Edinburgh Bible Society had no other alternative at that period than to resort to the English market for books, which, in quality of paper and ink, clearness of type, and correctness of workmanship, have obtained so high a character for the editions of the British and Foreign Bible Society. But though the Edinburgh Bible Society thus began to purchase from England all the editions of the English translation which they circulated, with the exception of one pocket Bible, his Majesty's Printers for Scotland know very well that the Committee of Management, instead of having been indisposed to encourage the circula-

tion of Scottish printed Scriptures, have given the most substantial proofs of their approbation to every successive improvement. After having proceeded in this spirit for ten or twelve years, they are now suddenly compelled to make determined opposition to an attempt, which, if it were to succeed, would, in all time coming, prevent the importation of so much as a single copy of the English translation of the Scriptures, however desirable in point of size, of price, of correctness, and of beauty of execution.

These prefatory notices will sufficiently prepare the public for the perusal of the following remarks, originally intended for the information of counsel.

Edinburgh, April 19, 1824.

ERRATUM.

In part of the impression, p. 161, line 8, *for* excellent *read* excellcn.

REMARKS, &c.

THE importance of the question between his Majesty's Printers for Scotland, and the members of the Bible Societies, is much greater than any one would imagine who forms his judgment on the statements contained in the Bill of Suspension and Interdict.

The issue of this cause must affect, in a very considerable degree, the funds of these associations. If it be true that "large sums of money, which have been annually received from the contributions of charitable individuals in Scotland, have been remitted to England for the purpose of purchasing Bibles and other religious books, so as to expose the complainers (his Majesty's Printers for Scotland) to a very heavy and constant loss," it is scarcely to be supposed that the directors of these societies, bound, as they are, to apply the money at their disposal so as to produce the greatest amount of good at the smallest possible ex-

pense, have, in an affair of such serious magnitude, been chargeable with wanton and capricious prodigality, in bringing from a distance copies of the Holy Scriptures, which they might have obtained by a much easier and less circuitous process at home, not only, as is asserted, of equal quality, but at least twenty per cent. cheaper than those which are furnished by the English printers. The thing is incredible.

So far is this from being a fact consistent with the experience of the Edinburgh Bible Society, that they have been reluctantly, and with much inconvenience to themselves, compelled to resort to the English market, from a conscientious regard to the interest of their constituents.

First of all, there is a considerable demand for various useful editions of the Bible, printed in a size of letter, to which nothing corresponding has ever been published in Edinburgh: for instance, the small pica royal octavo, the small pica octavo, minion crown octavo, and the minion pocket Bible, which last is an exceedingly convenient book, printed in a large character on a small page, and furnished by the English printers at the moderate price of 3s. 4d. in sheets. In the article of New Testaments, the long primer is not printed by his Majesty's printers in Edinburgh at all; their brevier duodecimo demy is at present out of print; and

their pocket edition, minion letter, will not bear a comparison, in point of quality, with the similar edition printed in England.

The prices of one or two editions printed in Scotland are a trifle lower than the corresponding editions printed in England; and it has been the invariable practice of the Edinburgh Bible Society to purchase from the King's warehouse here, all such Bibles as could be procured on terms as favourable as if they had been imported from England. In this way, this single branch of the Bible Societies in Scotland has paid to the Complainers, in the course of eleven years, the sum of £2158, 0s. 2d. The purchases of the Edinburgh Society alone, from the King's warehouse here during the last three years, have amounted to £1193, 1s. 7d.; and they have never ordered a supply of Bibles from England without previously ascertaining that the cost would be less than in Scotland. It may be proper to contrast a few of the prices:—The nonpareil Bible, duodecimo, if purchased from his Majesty's Printers for Scotland, costs 2s. 9d. in quires; and a superior article, of the same size of letter, can be had from London at 2s. 4d. The brevier Bible, octavo, with marginal references, printed at Edinburgh, costs 6s. 4d.; the London edition, superior in every respect, (except in so far as it omits the references, which the plan of the Bible So-

cieties does not admit,) costs only 4s. 4d. ; the difference being 2s. each copy, or more than 45 per cent. The Edinburgh New Testament, pica octavo, costs 2s. 3d.; the superior London edition 2s. The Edinburgh New Testament, brevier duodecimo, demy, costs 1s. 2d. ; the London edition, which is superior, costs 10d. ; the difference on each copy being 4d. or, in other words, the Edinburgh edition, though not so good, costing really 40 per cent. more than the London one. There is another Edinburgh edition of the New Testament, of a pocket size, only a penny dearer than the similar London one ; but the inferiority of the Edinburgh edition is very striking.

Now surely it cannot be pretended to be a matter of small consequence in the purchase of 1200 copies of the brevier New Testament, duodecimo, whether it shall be necessary to pay £70 for the Edinburgh edition, or only £50 for the superior edition furnished by the British and Foreign Bible Society from the English press. Nor is it a trifle to the most flourishing of our societies, whether, in giving an order for the same number of brevier octavo Bibles, we must calculate on paying £380 in Edinburgh, or £260 in London,* for an impres-

* In other words, £380 would purchase 1753 copies in London, and only 1200 in Edinburgh.

sion, which, even if it were not so superior as we account it, is much better adapted to the purposes of the Society. And if the disparity of prices be so great, while competition is open, who can tell what prices may be demanded, if the time shall come when the only supply of Bibles, in this part of the Island, must be obtained from the source which is even at present the most expensive?

The question, however, assumes a much more serious aspect when it is viewed as involving the religious interests of the community. The professed object of the privilege conferred on his Majesty's Printers, (as set forth in their own "Information" against the booksellers,) is *chiefly for the preservation of purity in the sacred text,* * and they allege that "they would be certain of a severe punishment, or even of the entire loss of their patents, if they were to betray their trust by supplying the people of Scotland with inaccurate editions, or charging extravagant prices." †

We trust that his Majesty's Printers for Scotland are men of too high character to require to be intimidated by the dread of forfeiting office, or incurring pecuniary loss on account of the unfaithful discharge of their duty. But

* Information, p. 7, 25, &c. † Ibid. p. 26.

the public have certainly no reason to believe, that the conviction, either of inaccuracy or extravagance, would be followed by the infliction of any penalty; and, so far as can be judged from what has happened in former instances, little comfort can be derived from the prospect of having correct and cheap impressions of the Scriptures secured, by the apprehension of losing the patent. His Majesty's Printers are at great pains to show that they are fully entitled to all the privileges, which were ever possessed by any of their predecessors, from Chepman and Millar, in the reign of James IV. to the heirs of Andrew Anderson, whose patent did not expire till after the Union; and it is to be presumed, that they are not anxious to admit, that they act under a heavier responsibility. Now, it is certain that some of their predecessors never printed any edition of the Bible at all; one or two printed editions not adapted to general use, and more than one printed editions, so mean and contemptible in point of execution, and so grossly corrupt in the text, as to excite universal complaint and indignation. Yet it does not appear that any of them lost their patents, or were otherwise punished, either for the omission to print Bibles, or for printing them incorrectly, or for using such inferior paper

and types, as rendered the productions of their presses almost illegible.

If, therefore, it be true, that the King's Printers in Scotland have always possessed the power of preventing English Bibles from being sold in Scotland, it must have been in their power to exclude the people of Scotland from the privilege of reading the Scriptures in their native tongue; and as some of the King's Printers received power to print the books of the Holy Scripture, *in all languages*, it must have been in the power of those individuals to interdict the sale of the Hebrew and Greek originals, and of all the versions of these inspired books into any language, either ancient or modern; so that the very fountains of divine truth must have been sealed up, and rendered inaccessible to the learned as well as to the vulgar. In the time of Chepman and Millar, no translation of the Scriptures had been printed in England; but these ingenious artists, whose press, established about the year 1507, is remarkable for having produced the Aberdeen Breviary, and a few other admired specimens of typography, published no edition of the Scriptures in any tongue; and, if the argument of his Majesty's Printers be well founded, might have completely put a stop to the introduction of a single copy of the Scriptures, among a people

whose desire of religious knowledge was thwarted by the superstition of the monarch, co-operating with the intolerant bigotry and tyranny of the clergy. *

* It is said in the Appeal Case for his Majesty's Printers that the patent of Millar and Chepman conferred on them *the power of excluding English books*. This assertion is too broad. The patentees had only the power of preventing copies of books from being taken out of the realm to be printed in other countries, and then imported and sold in Scotland, "to cause the said Walter and Andro tyne their great labour and expense." As "mass-books, after the use of this realm," were to be printed, "with legends of Scottish Saints ekit thereto," books of *Salisbury use* were prohibited to be brought into the realm in time coming: but the Aberdeen Breviary, printed in 1509 and 1510, was a different formulary from that of Sarum; and the exclusion of the latter was not more remarkable than if the adherents of the *Scots Confession*, in the reign of Queen Mary, had protested against the importation of copies of the *thirty-nine articles*.

It must be recollected, that, before the Reformation, the Missals, Breviaries, and other service-books of the Romish church, were very far from being uniform. Not only did the ritual of one country differ from another, but almost every diocese followed a model of its own. The earliest recorded attempt to reduce the order of divine worship to one common standard throughout a whole kingdom, (and that, too, by authority not purely ecclesiastical,) is found in the resolution of James IV. and his council, to impose on all the realm the liturgy compiled by William Elphinstone, bishop of Aberdeen, and others, as soon as it could be printed and provided. The next legislative provisions for a similar purpose, were the Act for the uniformity of common prayer, and administration of the sacraments, in the reign of Edward VI. and the Act for the abolishing and putting away of divers books and images, in 1549. The latter begins thus; "Whereas the King's Majesty hath of late set forth and established, by authority of Parliament, an uniform, quiet, and godly order of common and open prayer, in a book entitled, *The Books of Common Prayer, and Administrations of the Sacraments, &c.* Be it therefore enacted, that all books called Antiphoners, Missales, Grailes, Processionalles, Manueles, Legendes, Pies, Portuasses, Primers in Latin or English, Couchers, Journalles, ordinalles, or other books or

For the purpose of examining the validity of the arguments urged by his Majesty's Printers, it becomes necessary to inquire with considerable

writings, heretofore used for service of the church, written or printed in the English or Latin tongue, other than such as shall be set forth by the King's Majesty, shall be by the authority of this present act, clearly and utterly abolished, extinguished and forbidden for ever, to be used in this realm, or elsewhere, within any the king's dominions." It is said in the appointment *concerning the service of the Church of England,* "Whereas, heretofore, there hath been great diversity in saying and singing in churches within this realm—some following *Salisbury use,* some *Hereford* use, and some the use of *Bangor,* some of *York,* some of *Lincoln;* now, from henceforth all the whole realm shall have but one use." The use of *York,* which appears to have been one of the least complicated, being comprised in two folio, three quarto, and three octavo volumes, was not exempted from the inconvenience arising from "the number and hardness of the rules called the Pie, *(Pica sive Directorium Sacerdotum,)* and the manifold changings of the service;" but the *Missale ad usum Ecclesiæ Eboracensis* was rejected in Scotland, not only by the secular clergy, who disclaimed a dependence on the Metropolitan see of York, but also by such monks as acknowledged this dependence; all of whom, according to Dr. Rawlinson, followed the *use of Sarum,* which was probably of more ancient origin, but which had admitted an incalculable number of variations, interspersed through not fewer than 150 volumes.—(See Stillingfleet's *Antiquities of British Churches,* Gough's *British Topography,* Sparrow's *Rationale, Preface to Common Prayer, and the Translators of the Bible to the Reader.)*

The Council of Trent, which closed its proceedings in the year 1563, succeeded only partially in establishing unity in the forms of public devotion, throughout the nations which continued to acknowledge the supremacy of the Pope; and it is alleged, that, about the year 1598, under the pontificate of Clement VIII. the deviations from the corrected breviary, introduced thirty years before, were as numerous as ever. At least twenty forms prevailed in the Gallican church, all differing from either the Roman breviary or that of Tours. These hints may, in some measure, account for the injunction against books of *Salisbury use* after Scotland had a form of its own.

But if we were to grant that Millar and Chepman had *the power of*

care into the law and practice of this country on a matter of such extreme importance. We trust we shall be able to prove, that, in the earliest ap-

excluding English books, do his Majesty's Printers seriously hope to convince us, that they either have, or ought to have, the same power; or that it would be either for the honour of the Crown or the advantage of the nation that such a power should be conferred upon any man in the land? If their statement be intended as a foundation for an argument, it will prove too much. They admit that no English translation of the Bible was permitted, (by the ecclesiastical power they must mean; for there was no municipal law upon the subject, and the King did not then aspire at the dignity of the Head of the Church.) If, then, the prohibition did not apply to Bibles, but to books of secular learning as well as devotion, does it follow, that because the subjects of James IV. were allowed to import no books of history, poetry, law, medicine, or philosophy, printed out of the kingdom; therefore, all the successors of James IV. have had a right to debar their Scotish subjects from the use of the same classes of books, unless they were printed at the Royal Press in Edinburgh?

His Majesty's Printers profess to be ignorant of *any authority which shows what was the usage under this grant.* We do not know of any book printed by Chepman and Millar after 1510, and we have not heard of any other printer in Scotland till about the year 1530. But we are sure that many books were imported, not only from England, which is not mentioned in the grant, (and nearly as many of the books of *Salisbury use* were printed in France as in England,) but from all other countries in Europe, during the reign of James V. And we know that men of learning in this kingdom were obliged to send their works to be printed on the continent, whence they were imported and sold in Scotland. We may give a specimen of these books, of which it would be easy to enlarge the catalogue. *Dav. Cranstoun de Fortitudine,* Par. 1511, and *Quæstiones Physicales,* (about the same date.) *Geo. Lokert Scoti Ayrensis Scriptum de Materia Notitiarum,* Par. 1518. *Geo. Lokert S. T. P. Syllogysmi,* ib. 1522. *Ejusdem Tractatus Proportionum. Ejusdem Quæstiones et Decisiones Physicales,* Par. 1518. *Ejusdem Tractatus Exponibilium,* ib. 1522. *Ejusd. de Oppositionibus,* ib. 1523. *Gul. Manderston Tripartitum Epitoma in dialecticæ Artis principia,* Par. 1514. *Gul. Manderston, Bipartitum in Morali Philosophia Opusculum,* Par. 1518. (A second edition in 1524.) *Jo. Ma-*

pointments of Printers to the King of Scotland, the publication of the Scriptures was not contemplated at all, and consequently no provision was made for an object which the government had no desire to forward;—that, for more than thirty

joris, Scoti Haddingtonani, Introductorium in Aristotelicam Dialecticen, Lugd. 1514. *Ejusd. in Quartum* [*librum*] *Sententiarum Commentarius,* Par. 1516. *Quæstiones in Tertium Senten.* ib. 1517. *Ejusd. Literalis in Matthæum Expositio, &c.* Par. 1518. *Ejusd. Quæst. in Quartum Senten.* ib. 1519. *Ejusd. Historia Majoris Britan.* ib. 1521. *Luculentæ in Quatuor Evangelia Expositiones,* Par. 1529, &c. *Jo. Vaus Grammatica,* Par. 1522. *Hect. Boctii Episcoporum Murthlacensium et Aberdonensium Vitæ,* Par. 1522. *Ejusd. Scotorum Historia,* Par. 1526. It is well known that it was impossible to get any book printed in Scotland at that time; for John Vaus, who was Professor of Humanity at Aberdeen from 1500 till 1537, has lamented the necessity which compelled him to encounter great danger in a voyage to France for the publication of his grammar. His colleague, Hector Boece, does not seem to have ventured on so perilous an expedition, when he had his history printed at the same press five years afterwards. The numerous errata are thus accounted for: "Horum similia si offendes, lector, clementer ignosces: difficile enim erat in re ignota et litera peregrina ab archetypo aberrasse nihil." It will probably be said of some of the other authors whom we have named, that they were resident on the Continent when their works were published; and we allow that it was so with regard to Cranstoun. We can prove, however, that George Lokert was rector of the University of St. Andrews in 1521, 1522, and 1523, during which time he must have been resident. Before that time he was provost of Crichton in Lothian, and a Professor of Theology in St. Mary's College. His predecessor (Thomas Halkerston,) præpos. de Crichton, died in 1516. *Joannes Major,* or *Mair,* a native of the parish of North-Berwick, was in France when he wrote his history; but he was brought to Glasgow by Archbishop Beaton in 1518, and was removed to St. Andrews by that prelate in 1523, and not only the history, but several of his other works were printed in France while he was living in Scotland. Manderston's last work was published in the prospect of his removal from France.

years after the people of Scotland were permitted to read the Bible in English, no edition of the Bible, or of any part of it except the Psalms in metre, was printed in Scotland; and, therefore, as the people certainly were supplied with Bibles, they must have been supplied, either from England, or from some more distant country, in spite

We may add, that though Andro Millar's name, and the badge of the windmill, by which he was distinguished, cannot be traced even so late as the printing of the Aberdeen Breviary, Walter Chepman resided in Edinburgh many years afterwards. He founded a chaplainry in St. Giles's, at the altar of St. John the Evangelist, in the year 1513; and in the year 1519 he seems to have been a brewer in the suburbs. We know at least, that he, and many other feuars of the Burrow Muir, were found by the town council of Edinburgh, 8th June, 1519, to have tynt their right for ever, because they had failed of three years payment of their annuals. On that occasion "Walter Chepman declarit that he had completit and fulfillit his biggingis on the borrow mur sufficientlie, with barne, kill, cowbill, and servitours for making of malt efter the forme of the act made yairupoun, &c."

At this time there was very little encouragement to printers in this country, owing to the restraints imposed upon education, not only by the sovereign, but by the local magistrates. Thus on the 10th of January, 1519, we perceive that the town council of Edinburgh allowed no school but one, and only three books to be used in it. "The provest, baillies, and counsall statutis and ordanis for resonable causes moving yame yat na maner of nytbors nor induellers wtin yis burt put yair bairnis till ony prticulare scule within yis toun bot to ye principall grammer scule of ye samyn to be teichit in ony science bot allanerlie grace buke prymar and plane donatt under ye pane of X s to be tane of ilk nytbor yat breks or dois in ye contrair heirof and als oft bot fauors to be applyit to ye maister of ye said principall scule for ye time."—There is some reason to think that Chepman had printed Donatus, and another grammatical book (Ulric in Personas) ten years before this.—See Appendix, No. I.

of any rights which the privileged printers may be supposed to have possessed;—that from the period when the Bible was first printed in Scotland, to the Union of the kingdoms of England and Scotland, a licence for printing the Scriptures was not more necessary than a licence for printing any other book;—that no law either of the church or state has ever prescribed the use of any particular translation of the Scriptures in Scotland, and that no translation has ever been executed at the expense of the government of Scotland;—that the first translation used by our reformers was never printed in Scotland;—that the Geneva Bible, the first which was printed in Scotland, about twenty years after the Reformation, was printed only once,—and that this edition could not possibly have satisfied the demands of the population till another impression of a translation somewhat different was published thirty years afterwards;—that this second edition was printed by a person who was not King's Printer;—that from the time when the translation now in general use was first published in England, the importation of Bibles was expressly allowed, and that New Testaments, Psalms, and other books used in the church, were allowed to be printed by any printer in Scotland;—that the first restraint on the importation of Bibles from England was

imposed during the reign of Charles II. who had previously obtained an act of Parliament empowering him to restrain all trade with foreigners, in virtue of his royal prerogative; but that, as this act of parliament was repealed in 1701, it can no longer be considered as an " undoubted privilege and prerogative of the crown to lay restraints and impositions upon foreign imported commodities;" —that even during the reign of Charles II. and his immediate successor, great sums of money were sent out of the country for the purchase of Bibles;—that, notwithstanding the great demand for Bibles in Scotland, they have been generally printed in this kingdom in a style very inferior to the English editions, and often so incorrectly, that if copies could not have been procured from England, the grievance could not have been endured;—that the inaccuracy of the editions has been most glaring when difficulties were thrown in the way of importation,—and that, however hard it may be upon His Majesty's Printers for Scotland to have their Bibles excluded from England, where the people have their choice of being supplied by one or other of three printing establishments, this is no reason why the people of Scotland should be placed on a footing more unfavourable than their fellow-subjects in England, and should be compelled to satisfy themselves

with the productions of a press, which has never been superior to those of the English Universities and His Majesty's Printer for England, and which is not likely to be improved by the cessation of all competition.

Some of the remarks in the following paper may not at first sight appear to bear very closely upon the question now under consideration; but it is hoped that all of them, either directly or indirectly, support the propositions which we undertake to establish; or, if there be any exceptions, the interesting nature of the subject may serve as an apology for some degree of redundance, especially when the facts and illustrations happen to be derived from such sources as are not very generally known.

Though the Bible Societies take no charge of the distribution of Psalm Books, Catechisms, and Confessions of Faith, it is necessary to extend our inquiries to this class of books, and others which are regarded as prerogative copies; because, even if the same rule should not universally apply to them, and to the English versions of the Scriptures, it is very material to show that many of the positions assumed by the Complainers are altogether untenable, and that if the Crown has, in more cases than one, undertaken, through inadvertency or mistake, to confer powers which it

never possessed, there is no presumption on our part in supposing it to be possible (as appears to have been admitted in several of the patents) that the privileges conveyed to his Majesty's printers may not have always been strictly consistent with the laws of the realm and the articles of Union.

It cannot be denied, that for a long period the inhabitants of Scotland had no means of obtaining translations of the Scriptures into a language generally intelligible among them, otherwise than by importing them either from England or from the Continent. It is a well-known fact, that many copies of the translation by William Tyndale, first printed at Antwerp or Hamburgh, about the year 1526, were introduced into Scotland, and were circulated and read with great avidity. Till it was remodelled in some degree by Cranmer, this version never obtained the approbation of the English government. Its author, through the influence of Henry VIII. was seized, imprisoned, and executed in the neighbourhood of Brussels; and the work, which had been repeatedly condemned in England during his life, was, in the year 1542, ordered by Parliament to be "forthwith abolished and forbidden to be used and kept." In the year subsequent to this enactment, an application was made to the Parliament of Scotland,

by part of the nobility and the commissioners of burghs, that it might be enacted, "that it should be leasom (lawful) to every man to use the benefit of the translation which then they had of the Bible and Testament." The clergy strenuously resisted the proposal; and alleged, that the translation referred to was not *true:* but, according to the account of Knox, the only objection which they were able to produce was, that the word *love* was substituted for *charity.* At last they were compelled to yield to the general voice; and so, by act of Parliament, says Knox, it was made free to all men and women to read the Scriptures in their own tongue, or in the English tongue.*

* Sir Thomas More, in his *Dialogue concernynge Heresyes and matters of Religion, made in the year* 1528, is at great pains to show "that the clergie hath not forboden the Byble to be made and readde in Englishe." He says also, "they doe cause none to be burned, as farre as ever I coulde wit, but onely such as be founden faultie, whereof many be sette forthe with evil prologes or gloses maliciouslye made by Wickliffe and other heretikes." He reprobates Tindale's translation in terms equally strong, saying that he had corrupted, and purposely changed, in many places, the text, with such words as he might make it seem to the unlearned people that the scripture affirmed their heresies itself. He thus tacitly admits that Wicliffe's and Tindale's translations were thought worthy of the flames, as "having been the fountain and well-spring of all their whole heresies." More asserts, that long before Wicliffe's days, the whole Bible was by virtuous and well-learned men translated into the English tongue, and by good and godly people, with devotion and soberness, well and reverently read. He says he had seen, and could show Bibles, fair and old written, in English, which have been known and seen by the bishop of the diocese, and left in laymen's hands and women's, to

It is represented by Lewis, that, *probably*, an edition of Tyndale's English New Testament was printed in Scotland in the year 1536. Nothing is

such as he knew for good and catholic folk. He at the same time tells us, that a council holden at Oxford, provided, under great pain, that no man should of his own authority translate any book, nor any man read openly or secretly any such book, till the same translation were approved by the diocesan or by a provincial council. He professes to be totally at a loss to tell how it has happened that God has not provided that any good and virtuous man has had the mind faithfully to translate the Scripture, and to obtain the approbation at least of some one bishop. "In my mind," says he," is there not one thing that more putteth good men of the clergie in doubte to suffer it than thys; that they see sometime much of the worse sort more fervent in the calling for it than them whom we find farre better. Which maketh them to feare lest such men desyre it for no good, and lest if it were hadde in every manne's hand, there would great peril arise, and that sedicious people should doe more harme therewith than goode and honest folke should take fruite thereby."

Several of the arguments of Sir Thomas More are repeated by the Popish writers in Scotland. Thus says John Hamilton, "Are al merchands, tailours, souters, baxters, wha cannot learne thair awin craftes without skilful maisters, ar thir, I say, and uther temporal men, of whatsomever vocation or degree, sufficient doctor of thame selfis to reid and understand the hie mysteries of the Bible?—— What folie is it that wemen, wha cannot sew, cairde, nor spin, without they lerne the same of uther skilful wemen, suld usurp to reid and interpret the Bible? I wald exhort them to remark that their first mother Eva," &c.—(See *A reul to knaw treu religion. Lovan*, 1600.)

The authority of Sir T. More, with regard to old English versions of the Scriptures, though disputed by Lewis, is confirmed by the translators employed by King James, who say: "In our King Richard the Second's days, John Trevisa translated them into English, and many English Bibles in written hand are yet to be seen with divers, translated, as it is very probable, in that age." Usher refers Trevisa's translation to the year 1360; and he conceives another, of which three copies are preserved at Oxford, to be seventy years older. Wharton however insists, that there were only two translations of

more improbable: but, if any such edition was printed at that time, it could not be by the King's Printer, or under the royal authority; for at that time it was deemed unlawful to possess a copy of the Scriptures in the vulgar tongue. About this very time many eminent and learned individuals suffered death for expressing the principles which they had imbibed from the reading of the Scriptures, and others consulted their safety by flight. One of these voluntary exiles was invited to a theological chair in the university of Cambridge, in 1535, and is supposed to have published at London a small work, which proves, at least, how dangerous it was in those days for the natives of Scotland to read the Scriptures in the language of the country: the title of the book is, "Alexandri Alesii Epistola contra Decretum quoddam Episcoporum in Scotia, quod prohibet legere Novi Testamenti Libros Lingua Vernacula." Among the articles for which Sir John Borthwick was condemned to be burned as a heretic, in the year 1540,

the whole Scripture into English, in the interval between the close of the Saxon Heptarchy and the beginning of the Reformation, namely those of Wickliffe and Trevisa,—though he does not dispute that there were other translations of part. He conceives the translation referred by Usher to the year 1290, to be merely that of Trevisa, which he says was of later date than Wickliffe's. See *Jac. Usserii Armachani Historia Dogmatica de Scripturis, cum Auctario H. Wharton.* Lond. 1690.

one of the most remarkable, though omitted by Keith, whose account of this matter is not copied correctly (as he pretends it is) from Fox's Martyrology, is as follows: "It is plainly manifest, by lawful proofs, that John Borthwick had, and presently hath, divers books suspected of heresy, and condemned, as well by papal as by royal and ordinary authority, and prohibited by law; and, in special, the New Testament printed in the common English language."* The danger did not cease after the passing of the act for having the Scriptures in the vulgar tongue. Buchanan informs us that Cardinal Beatoun, with the Earl of Arran, made a progress through several districts, for the purpose of suppressing heresy in 1545. After describing

* The zealous exertions of the Popish clergy in preventing the reading of the English Bible, are alluded to by Lyndsay in *Kittie's Confession.*

> Quod he, Hard ye na Inglis bukis?
> Quod scho, My maister on thame lukis:
> Quod he, The bischop that sall knaw,
> For I am sworn that for to schaw.

This poem is understood to have been written in 1544. The opposition of the clergy to the reading of the Scriptures in the vernacular tongue continued as violent as ever. We find the same author, in his "Dialog of the Miserabill Estait of this World," (which was not completed before the year 1553,) saying,

> I wuld prelatis, and doctouris of the law,
> With us lawid pepill wer nocht discontent;
> Thocht we into our vulgare toung did knaw,
> Of Christ Jesus the lyfe and testament.

their severities at Perth, he says, " Taodunum profecti, ipsi se prædicabant ad pœnas de Novi Testamenti lectoribus ire sumendas. Nam, illa tempestate, id inter gravissima crimina numerabatur: tantaque erat cœcitas, ut sacerdotum plerique, novitatis nomine offensi, contenderent, eum librum nuper a Martino Luthero fuisse scriptum, ac Vetus Testamentum reposcerent."*

It is not very certain that there was a King's Printer in Scotland in 1536; but, if there was, it is clear that the office was not considered to be on the same footing as at present. Thomas Davison, who printed an edition of Bellenden's translation of the Chronicles of Scotland by Hector Boece, in 1536, and another edition about 1540, when he became King's Printer, received a license *from the Parliament*, in 1541, to print Acts of Parliament; so that it does not appear to have been then considered a branch of the royal prerogative to grant a patent for that purpose.† It is also very

* The pretence of the clergy, that Martin Luther was the author of the New Testament, was probably artfully contrived to expose the importers of the Scriptures to the penalties of the act 1535 against heretics; in which act the books of Luther were forbidden to be used, kept, or concealed. Even the act 1542, made it sufficiently dangerous to express any opinions concerning the contents and meaning of the Scriptures.

† There seems to be some uncertainty with regard to the nature of Davison's appointment. Mr. Ruddiman, in a letter to Ames on this subject, (dated 31st Jan. 1714-5,) says, " It is not properly

unlikely that any one would exercise the privilege of printing Bibles while it was not lawful to read them.*

When the Reformation was established in Scotland, there was no English translation of the Bible, except that which had been originally executed by Tyndale and Coverdale, and which having undergone several modifications, was successively pub-

a patent granted to Davison, of being the King's printer, but only a confirmation of a license granted by act of parliament to Sir James Foulis of Collington, then Lord Register of Scotland, to cause these acts to be imprinted by what printer he should think fit to choose, but so that the said printer should have a special license from the king to the same purpose."

* It is somewhat difficult to decide what translations were used by some of our Scotish writers, after the act authorizing the use of the English Bible. In the "Complaynt of Scotland," written in 1548, the Scripture is frequently quoted from the Latin, which is inserted on the margin; and the words introduced into the text bear little resemblance to any of the printed versions. Thus Deut. xxviii. 22, &c. "he sal persecut thee quhil he hef gart the perise, thou sal thole iniuries and spulze; thou sal spouse ane wyfe, bot ane uthir sal tak hyr fra the be forse; thou sal big ane house, bot thou sal nevyr dwel in it; thy ox sal be slane befor thy eene, and thou sal get nane of hym tyl eyt—the oncoutht ande straynge pepil sal eyt the frute of the eyrd that thou hes laborit," &c. "The Confession of Faith, compiled by M. Henry Balnaves of Halhill, one of the Lords of Session and Counsell of Scotland," in the year 1548, (printed at Edinburgh in 1584,) contains many passages of Scripture, apparently translated, or sometimes paraphrased, by the author himself. Thus, John iii. "God send not his Sonne into the world; that he shold accuse, condemne, or judge the world; but that the world should be made safe by him." When these books were written, great difficulties must have been experienced in obtaining copies of the Bible from England, as the two kingdoms had been several years at war.

lished under the names either of Taverner, or Matthews, or Archbishop Cranmer, whose editions are generally denominated the Great Bible. The English refugees at Geneva, perceiving that "most of the English Bibles were ill translated, and falsely printed," * undertook a new version, which was completed about the time when the first General Assembly met, in the year 1560,—and it appears, from the early productions of Scotish divines, that this version was generally adopted in this country, as it was also to a very great extent in England. We may mention a few instances. (1.) John Knox seldom follows any of the printed translations very closely; but it is evident that he had sometimes in his eye Tyndale's, and sometimes the Geneva version. His earliest publications appeared before the Geneva Bible existed. "The coppie of the ressoning betwix the Abbot of Crossraguell and John Knox in Mayboill, concerning the Masse in 1562," contains a quotation from the Geneva version on the title-page, and more frequently paraphrases than expressly transcribes the passages of Scripture employed in the argument. In a small work, written in 1568, and printed at St. Andrews, by Lekprevik, in 1572, a few months

* See Discourse of the Troubles begun at Frankfort in Germany, A. D. 1554.

before the Reformer's death, entitled, " An Answer to a Letter of a Jesuit named Tyrie, by Johne Knoxe," the Geneva Bible is almost uniformly quoted. (2.) David Fergusson, minister of Dunfermline, in his Answer to Renat Benedict, written in 1562, and printed in 1563; and also in his " Sermon preachit befoir the Regent and Nobilitie, in the kirk of Leith, at the time of the General Assemblie, on Sonday the 13. of Januarii Anno Do. 1571," has made use of the Geneva translation in the former tract, almost verbatim; and in the Sermon, with the slight variations necessary to accommodate the language to the Scotish pronunciation and idiom; substituting *gif* for *if*, *quhilk* for *which*, *behauld* for *behold*, *teindis* for *tithes*, &c. (3.) A similar remark applies to the two volumes of Sermons by M. Robert Bruce, " printed be Robert Waldegrave, printer to the King's Majestie. 1591. *Cum Privilegio Regali.*" (4.) " The Sermons of Mr. Robert Rollok, printed at Edinburgh, by Henrie Charteris, 1599, *Cum Privilegio Regali,*" have all the quotations from Scripture according to the Geneva Version, altered nearly in the same manner as in the cases of Fergusson and Bruce; only the Scotish expression is somewhat broader. (5.) " An Exposition upon some Select Psalms of David, written by M. Robert Rollok, and translated out of Latine into English, by

C. L. (Charles Lumisden) Minister of the Gospel of Christ at Duddingstone. Edinburgh, Printed by Robert Waldegraue, printer to the King's Majestie. 1600. *Cum Privilegio Regio.*" This work exhibits admirable specimens of translations of fifteen psalms, probably from the original; (for Lumisden, who was son-in-law to the famous Robert Pont, was a superior scholar;) but when other parts of the Scripture are quoted, the translator generally adheres to the Geneva Bible.

It was not till five or six years after the Reformation in Scotland that any printer obtained a direct title to publish any part of the Scriptures in the language of the natives of the country.* Lekprevik obtained a letter under the Privy Seal, † authorizing him to print the Acts of Queen Mary and her predecessors' parliaments, and also the Psalms of David, in Scotish metre. Two years afterwards, ‡ Lekprevik was constituted King's Printer, § and, in the same year, he was licensed to

* March 22, 1564. † Feb. 8, 1565.

‡ Jan. 14, 1567. See Appendix, No. II.

§ It is not very easy to perceive what was the value of the privilege implied in the office of King's Printer in those days. Lekprevik, as " our Soveraine Lordis Imprentar, had full power to print all works in Latin or English for the weill and commoditie of this realme and lieges thereof, and all sic thingis as tendis to the glorie of God, induring all the space and terms of twenty yearis." He printed Queen Mary's Acts in 1565, and the Acts of the first five Jameses and Queen Mary in 1566. Yet in less than six years after his nomination as king's printer, (viz. in 1573,) " The King's Majesties proclama-

print the translation commonly called the Geneva Bible.* Every other person was prohibited from printing it during the subsistence of his right, which was declared to be for twenty years: but importation was not prohibited; and it would have been very hard if it had, as Lekprevik never printed a Bible at all.

It is the more remarkable that the importation of Bibles was not prohibited, as in the general license to Lekprevik, granted in January, 1567, all the lieges were strictly charged "not to bring hither out of other countries" any of the works enumerated, that is to say, "Donatus pro pue-

tioun," concerning the incoming of the English forces, &c. was printed, *cum privilegio regio*, at Edinburgh, by Thomas Bassandyne, who was never one of his Majesty's Printers. In the course of the year 1573, Lekprevik printed at St. Andrews the acts of Parliament 1571. But the acts of Parliament 1567, (which had been printed by him in 1568,) were reprinted by John Ros (not being King's printer) in 1575. It is true that Lekprevik incurred the displeasure of the government in 1574, and was confined for some time in Edinburgh Castle, for having printed, without license, "ane dialogue or mutuall talking betwixt a clerk and a courteour, concerning four parische kirks till ane minister, collectit out of thair mouthis, and put into verse be a young man quha did then forgather with thame in his jornay," to the reproach and slander of our Sovereign Lord's Regent, &c. But if he was understood to forfeit office on this occasion, it is certain that he did not undergo the penalties of the act 1551, against unlicensed printing, as we find him continuing to print in Edinburgh nearly twenty years afterwards. One of his well-known works is, "Catechismus Latino carmine redditus, et in libros quatuor digestus. Patricii Adamsoni Scoti poetæ elegantissimi, opera atque industria," Edin. 1581. Dedicated to James VI.

* Apr. 14, 1568; *i. e.* three months after the last date; as the year then began on the 25th of March.—See Appendix, No. III.

ris, Rudiments of Pelisso, the Actis of Parliamentis, (except the acts of the last Parliament,) the Croniklis of the realm, the buik called Regia Majestas, the Psalmes of David, with the Inglis and Latin Catechismes, the buik callit the Omeleyis (Homilies) for reidaris in Kirkis, with the Grammer to be set furth, callit the General Grammar, to be usit within Scolis of this realme." Could it be by accident that, while these books are not allowed to be imported, the subsequent license to print the Bible is silent on the subject of importation?

It cannot for a moment be doubted, that many copies of the English Bible were imported into Scotland at this period. Ireland was far behind Scotland in point of religious instruction, as well as in attachment to the principles of the Reformation; yet, even in that country, (as we are informed by Ware in his Annals of Elizabeth,) so great was the desire of reading the Bible, that, in the year 1566, John Dale, a bookseller, imported 7000 copies from London, and sold the whole within two years.*

* Even before the Reformation the schools were numerous in Scotland. We find endowments for the education of youth, not only in all the populous burghs, such as Aberdeen, Perth, Dundee, &c. but in such towns as Crail, Dunbar, and Haddington. Crail Grammar School, one of the latest in its erection, was founded in 1542 by Sir David Bowman, prebendary of the altar of St. James, and provided with a liberal salary. In the year 1566, there was at least one other school in that small burgh.

About seven or eight years after Lekprevik received his right, and at least twelve years before it expired, an edition of the Scriptures was undertaken by two printers in Edinburgh, who, at that time, were not printers to his Majesty. As this was the first edition of the Bible printed in Scotland, either in English or in any other language, it may be proper to give a short account of it, extracted from Calderwood's MS. History; which contains a greater number of particulars relating to this matter than have ever yet been published.

From that year to the year 1582 frequent complaints were made by the successive masters (who also employed assistants or doctors) against various persons, who, in express opposition to the acts of the burgh and in hurt and prejudice of the gift of the said school in favour of these masters, presumed to erect new schools, and to persuade and seduce *the bairns*, and to teach them, not only in grammar, but also in vulgar language and writing and reading of the same. The Magistrates, whose power then was greater than it is now, generally decerned that the teachers complained against should cease to disturb the right and title of the master of the grammar school. Thus, in 1567, George King was specially discharged to use ony teaching within the said burgh, and all others were inhibit to teach any school *by* the grammar school, where it appears all the common branches of learning were taught. This circumstance is mentioned chiefly as a proof of the demand for education in Scotland at that early period. But it may also throw light on the notions of our ancestors with respect to exclusive privileges. The master of the grammar school of Crail no doubt represented that the invasion of his right was an injury to the community, as well as an insult to his patrons. But the community thought otherwise, and persisted, year after year, to try the effect of competition, so long as they were dissatisfied with the appointments by the Magistrates; and though they were often thwarted, the struggle proved ultimately beneficial to the cause of education.

In March, 1575, "Alexander Arbuthnot, burgess of Edinburgh, presented to the General Assembly certain articles for printing of the English Bible; whereof, with the answers of the brethren, the tenor followeth:

"Anent the godly proposition made to the bishops, superintendents, visitors, and commissioners, in this General Assembly, by Alexander Arbuthnot, merchant burgess of Edinburgh, and Thomas Bassanden, printer and burgess of the said burgh, for printing and setting forward of the Bible in the English tongue, conforme to the proof given and subscribed with their hands; it is agreed betwixt this present Assembly, and the said Alexander and Thomas, that every Bible which they shall receive advancement for, shall be sold in albis for £4, 13s. 4 pennies Scottis, keeping the volume and character of the saids proofs delivered to the clerk of the Assembly.

"Item, for advancement of the godly and necessary work, and furtherance thereof, and homebringing of men, and other provisions for the same, the bishops, superintendents, and commissioners, bearing charge within this realm under written viz. James, Archbishop of Glasgow, &c. have, in presence of the Assembly, faithfully bound them, and obliged them, and every one of them, that they shall travel, and do their utter and exact diligence,

for purchasing of such advancement as may be had and obtained within every one of their respective jurisdictions, at the hands of the lords, barons, and gentlemen of every parish, as also with the whole burghs within the same, and shall try how many of them will be content to buy one of the saids volumes, and will advance voluntarily the foresaid price, whole, or half at the least, in part of payment, and the rest at the receipt of their books, and shall try what every burgh will contribute to the said work, to be recompensed again in the books in the prices foresaid. And so many as be content to the advancement of the work foresaid, that the said bishops, superintendents, and visitors, collect the said sums, and enrol the samen with their names, what every one of them gives; which roll, subscribed with their hands, and money, shall be sent by them to the said Alexander and Thomas, betwixt and the last of April next to come, and shall receive, upon their deliverance of the saids sums and rolls, the said Alexander and Thomas's hand writ, to the effect they and their cautioners may be charged for the said books conform to their receipt.

" Item, That every person that is provided of old as well as of new, be compelled to buy a Bible to their parish kirk, and to advance therefore the price foresaid, and the said prices to be collected

and inbrought by the said bishops, superintendents, and visitors, within each bounds and shire within their jurisdiction, betwixt and the last day of June. And because the said act appertains and is expedient to be ratified by my Lord Regent's Grace, and the Lords of the Secret Council, and an Act of Council to be made thereupon, the Assembly ordains Mr. David Lindsay, minister of Leith, Mr. James Lawson, minister of Edinburgh, and Alexander Hay, Clerk of Council, to travel with his Grace and their Lordships, for the obtaining the same, together with the privilege of the said Alexander and Thomas for imprinting of the said work. The kirk ordains the said Mr. James and Mr. David to travel with Mr. Andrew Polwart and Mr. George Young, or any of them, for correcting of the said Bible, and to appoint a reasonable gratitude therefore at the cost of the said Alexander and Thomas.

"Item, The kirk hath promised to deliver the authentick copy which they shall follow, to them betwixt and the last day of April.

"Item, for reforming (performing) of the said work by the said Alexander and Thomas, they have found cautioners, Archibald Seinzeour and James Norvell, burgess of Edinburgh, with themselves conjunctly and severally, that they shall deliver so many as they shall deliver advancement

for perfecting of the said work, which shall be (God willing) betwixt and the last of March, the year of God 1576 years; and the said Alexander and Thomas are bound and obliged to relieve them.

Sic subscribr.

Alex. Arbuthnot, with my hand.
Archibald Seinzeour.
James Norvell, with my hand.
Thomas Bassanden, with my hand.

" Answer of the General Assembly to the saids articles in their order.

" To the first article answered, refers the process to the Council.

" To the second, the kirk promises faithfully.

" The kirk gives commission to the persons following, to wit, to Mr. Robert Pont, Mr. James Lowson, Mr. David Lindsay, Mr. James Carmichael, Mr. Andrew Polwart, Mr. Peter Young, or any three of them, to oversee every book before it be printed, and likewise to oversee the labours of others that have travelled therein, to be given in to the printing betwixt and the last of April."

At the next General Assembly in August 1575, a new application was made to the church to encourage the undertaking, as appears from the following minute preserved by Calderwood. Sess. 7.

" Anent the supplication given in to the General Assembly, by Alexander Arbuthnot, making mention, that whereas it is not unknown to your Wisdoms, what great work and charge I have enterprised, concerning the imprinting of the Bible, for accomplishing whereof, your wisdoms understood that the office of a corrector, his diligence and attendance therein, is most necessary; and therefore I humbly desire your Wisdoms to request my Lord Abbot of Dunfermline to licentiate Mr. George Young, his servant, whom I think most fit to attend upon the said work of correctorie, to concur and assist me during the time of my travell, to the effect that the notable work begun and enterprised may be consummat and perfected in all points. The charges and expenses of his travells I shall reasonably deburse conforme to your Wisdoms' discretion, so that the work may pass forward and be decent, as the honesty of the same requires; whereunto I require your Wisdoms' diligent answer. And in like manner it is not unknown to your Wisdoms that for the furtherance of the same godly work, tane in hand by me, the order is tane that the bishops, superintendents, and commissioners, should diligently travell for the collecting, inbringing, and execution of the charge of our Sovereign Lord's letters, direct to that effect. In

consideration whereof I earnestly desire your Wisdoms to command and charge every ordinar within his jurisdiction to put the said letters to due execution, and make me to be paid conform to the tenor of the same; whereby the godly enterprise of the samine may take full effect with expedition. And becaus your Wisdoms sufficiently understand, that the concurrence of my Lord Feuar of Orkney,* shall greatly help to the expedition of the said work within his Lordship's bounds, I humbly desire supplication and request to be made to the said Lord, that he would, within the bounds of his jurisdiction, cause obedience and payment be made, conform to the tenor of the said letters: whereby I your Wisdoms' servitor shall pretermit no kind of diligence, expenses, or possible power in me lyeth, that so the said godly work may take full furtherance, to the glory of God and weal of his kirk. The said supplication being read and considered be the said Assembly, they all in one voice give commission to the brethren appointed, to present the articles to my Lord Regent's Grace, to travell with my Lord Dunfermline, to satisfy the first article,

* This was Robert Stewart (natural son of James V.) who exchanged the Abbey of Holyroodhouse in 1569, for the temporal estates of the Bishopric of Orkney, with Adam Bothwell, bishop of that See, and who was created Earl of Orkney in 1581.

and as concerning the rest, willingly condescends to the same."

Thus it appears, that the measure of printing the Bible did not originate with the government; but that it was thought expedient to apply for a license from the Privy Council, as in the case of all other books.* Accordingly, letters of privilege were obtained, (June 30, 1576,)† authorizing Arbuthnot and Bassandyne "to prent or cause be imprentit, set furth and sauld within this realm, or outwith the samen, Bibles in the vulgar Inglis toung, in haill or in partes, with ane calendar for ten years—and discharging all his hienes lieges—that nane of them tak upon hand—to prent or caus be imprentit in ony carrecture or letter,

* It is beyond all controversy, that though previous licenses had been obtained, this was the first edition of the Bible ever printed in Scotland. "Before this time, (says Wodrow in his Life of Smeton,) besides Tyndall's Bible and Coverdale's, of which there had been several impressions, the large folio Bible, called the Bishops' Bible, had come abroad; about all which the reader that would be informed may consult the industrious *Mr. Strype*, in his *Memorials, Annals*, and *Lives*, of *Cramner* and *Parker*. There was also the *Geneva* Bible, in English quarto, of which an account has been given in Mr. Knox's Life. I believe this Geneva translation was what they kept nearest to." Wodrow had no occasion to express himself with any hesitation on the subject. There can be little doubt, that the copy followed by Arbuthnot and Bassandyne was the folio edition printed at Geneva in 1561.

† See Appendix, No. V. The right conferred in this case is nearly in the same terms with those of the privilege granted to Mr. George Young, to print a new Grammar, "to be usit universallie, throughout this haill realme." Feb. 2, 1575. Appendix, No. IV.

translation or volume quhatsumever, sell or cause be sauld, brocht hame, or distribute to ony person or persones, (except with consent of the said, &c.) providing they sell every bibill according to the prices appointit," (viz. £4, 13s. 4d.) &c. Here, it must be admitted, importation was prohibited, under pain of confiscation and fine; but the exclusive privilege thus conferred upon two individuals, neither of whom was then King's Printer, appears evidently to have been revoked, or greatly qualified before the publication of the work in 1579. Bassandyne died before this time, and when Arbuthnot was made King's Printer, (Aug. 24, 1579,)* he received power "to print, during his lifetime, all works in Latin, English, or Scots, tending to the glory of God, and commonweal of this realm, he obtaining first special license thereupon;"† and he had special license granted him to print and sell bibles "in the vulgar Inglis, Scottis, and Latine toungis, with ane callendar"—for ten years. But though all persons were forbidden to *print* or *cause be imprinted within this realm* any of the said bibles,

* See Appendix, No. VII.

† Arbuthnot, after he became King's Printer, was noted for his incorrectness. In 1582, he published the first edition of Buchanan's History, "with many an error (says Mr. George Chalmers) in every page." The *errata typographica* of this edition, subjoined to Crawford's Notes on Buchanan's History, printed in 1708, fill twelve pages.

no person was forbidden to import them or to sell such as were imported. This is the more worthy of notice, as in the license to Arbuthnot to print the Psalm Book, Prayers, and Catechisms, granted six months before, (April 1, 1579,)* all other persons are prohibited for seven years to imprint, *sell*, or cause to be imprintit, either within this realm or *outwith* the same, the said "psalm buik," &c. In the case of the Bible too, both under the grant of June 30, 1576, and that of August 24, 1579, one of the worst effects of monopoly was guarded against by the proviso that the price was to be fixed, not by the printer, but by the king; or rather, that it was not to exceed the sum stipulated in the contract between the General Assembly and Arbuthnot and Bassandyne, in March 1575. What would have been the alternative, if the printer either demanded more than "the appointed price," or ceased to furnish copies at any price? Not surely that his countrymen were to have no bibles, any more than they must now dispense with the use of bread whenever the average value of the grain produced in our native soil rises above the importation prices, but they were to have full liberty to supply themselves as they best could with what was prized by thousands of them infinitely more than

* See Appendix, No. VI.

corn and wine. We may be assured that, in those zealous times, the government would not have ventured on an act calculated to limit the supply of "the bread of life," and to occasion "a famine of the word of the Lord." Indeed, we know that their policy was, not to restrain the circulation of the Scriptures among those who longed for the possession of such a treasure; but to compel every man of property to purchase them, however insensible he might be of their value, by rendering the want of a Bible more expensive to him than its possession.

It appears from the *Obligation for Prenting of the Bybill*, inserted in the Register of Privy Seal, 18th July, 1576, that the Regent Morton, who granted license for printing of the Bible, also caused to be advanced to Arbuthnot and Bassendyne a great proportion of the sum requisite for furthering of the work; not, however, out of the public purse, but by contribution of the parishioners of the parish kirks, collected by the diligence of the bishops, superintendents, and visitors of the dioceses, according to the agreement allowed and authorized by the Regent's Grace.

The New Testament of this edition was printed in 1576 by Thomas Bassandyne. He is not designed King's Printer; but the royal arms are engraved on the title-page.

The Psalms of David in metre, with the Book of Common Order, and Calvin's Catechism, were also printed at Edinburgh, by Thomas Bassandyne, dwelling at the Nether Bow, 1578. (Cum privilegio.)

When the Old Testament was finished, the whole work was published with this title: "The Bible and Holy Scriptures contained in the Old and Newe Testament. Printed in Edinburgh be Alexander Arbuthnot, Printer to the Kingis Majestie dwelling at the Kirk of Feild. 1579. Cum gratia & privilegio regiæ Majestatis."*

An Epistle Dedicatory was prefixed to this edition by the General Assembly of the Church of Scotland, dated the 10th of July, 1579. It appears from the Register of the Church that this epistle was presented to the Assembly by Alexander Arbuthnot, and referred to Mr. Thomas Sme-

* This phrase does not denote any privilege peculiar to his Majesty's printer. In the same year we have Responsio ad Archib. Hamiltonii Apostatæ Dialogum. Thoma Smetonio Scoto Auctore. Edinburgi, apud Johannem Rosseum, pro Henrico Charteris, Anno Do. 1579. *Cum privilegio regali.* Almost all the books of that reign, (as well as of Queen Mary's after 1551,) were printed *cum privilegio regio,* or *cum privilegio regali.* It seems to have been as necessary for the king's printer, as any other, to insert this note on the title of every book. The same practice prevailed in England. Thus we find Bullinger's "*Fiftie Godlie and Learned Sermons,* imprinted at London by Ralph Newberie, dwelling in Fleete Street, a little above the Conduit, who hath store of these bookes for those that want both in Latine and English. *Cum gratia et priuilegio Regiæ Maiestatis,* 1587."

ton, Moderator, and his assessors, to be considered by them, together with the calendar to be presented by Mr. Robert Pont. In this dedication, approved and adopted by the Assembly, the king is reminded that "the false named clergy of this realm, abusing the gentle nature of His Highness's most noble gudshir of worthy memory, (James V.) made it a capital crime, to be punished with the fire, to have or read the New Testament in the vulgar language; and to make them to all men more odious, as if it had been the detestable name of a pernicious sect, they were named New Testamentars."* His Majesty is also most earnestly exhorted to "remember diligently how the setting forth and authorizing of this book chiefly pertains to his charge." The meaning of this last expression may probably be inferred from an act of parliament passed in the course of that year, ordaining every householder worth 300 merks of yearly rent, and every yeoman or burgess worth

* Buchanan confirms this statement, and applies a similar remark to the early days of Queen Mary. See page 21. One of the "Gude and Godlie Ballates," beginning *The Wind blaws cald,* contains the following stanza, descriptive of the melancholy state of our ancestors in those "times of ignorance."

Quha dois present the New Testament
Quhilk is our faith surely,
Priestis callis him like ane heretike,
And sayis, burnt sall he be.

£500 stock to have a bible and psalm-book,* in vulgar language, in their houses, under the pain of ten pounds.†

We have adverted to the difference of the terms of the joint license to Arbuthnot and Bassandyne, in 1576, and of the license which was granted to Arbuthnot singly, on the 24th of August 1579,

* The psalm book here referred to might be either that which was printed by Bassandyne, in 1578, or that which Arbuthnot received license to print for seven years after the 1st of April 1579. But the act of parliament would not have authorized any magistrate to inflict the fine upon persons possessed of other editions of the psalm book, though not printed in Scotland.

† A searcher was appointed to visit every householder described in the act; and it appears from the records of the Privy Council that he was not idle. In the year 1580, the Magistrates and Town Council of Edinburgh issued a proclamation commanding all the householders to have Bibles, "under the pains contained in the act of parliament, and advertising them that the Bibles are to be sauld in the merchant buith of Andrew Williamson, on the north side of this burgh, besyde the Meill Mercat." On the 11th of Nov. 1580, "Alex. Clerk of Balberry, provost, &c. ordanis the haill nyᵗbo^rs of this burᵗ to be callit in before the bailies be their quarters for not keeping of the said act to be adjugeit in the unlaw therin contenit, and for eschewing of all fraude ordanis sic as sall bring their bybills and psalm buiks to hafe their names writtin and subscryvit be the clerk; and therefter the buiks deliverit to them." On the 16th of November, there was an order to pursue all persons "that has incurrit the payne of the act for not having ane bybill or psalme buik."—Andro Sclater and Thomas Aikinheid, masters of the hospital, were appointed "Collectors of the paynes."—*Edinburgh Council Record*, vol. vi. fol. 90, 95, &c. Two years afterwards, John Williamson, "general searcheour throughout the haill boundis of this his hienes realm," obtained decreet in the Privy Council against Andro Ballingall and John Weland, Sheriffs-depute of Fife, for not concurring, fortifying, defending, and assisting him in the execution of his duty. Reg. Scc. Concil. 16. Apr. 1582.

six weeks after the date of the Dedication by the General Assembly, when the work appears to have been finished. In the former the words are, " that nane tak upon hand after the publication of this his hienes privilege during the said space of ten zeiris, to prent or caus be imprentit in ony carrecture or letter, translation or volume quhatsumever, *sell or caus be sauld, brocht hame or distribute, to any persoun or persouns*, (except with the consent," &c.) There was no usage under this grant, and it may be considered as having been virtually revoked by the new grant to Arbuthnot, which omits the words *sell or caus be sauld, brocht hame or distribute, to any persoun or persouns.* This license endured from 1579 to 1589; but surely it will not be asserted, that, if the copies printed by Arbuthnot did not supply the demand, and if he did not choose to publish new impressions when required by the wants of the public, he would have been entitled in equity to recover damages from those who were impelled by necessity to procure copies of the Scriptures from England or elsewhere; and who, if not supplied in this manner, might have been fined ten pounds Scots for the want of a book which was absolutely out of print.

We do not know why, but it is quite certain that Arbuthnot was very tardy in delivering the copies, though he had received payment for them three

years before publication. Twelve months after publication, the General Assembly presented the following petition in their "articles proponed to his Majestie and Counsell, (July 1580, Sess. 10. Art. 6.) "That order be takin with Alexander Arbuthnot that the Bibles may be delyverit, according to his receipt of money from every paroch, and to that effect that he and his soverties [sureties] may be commandit be letters of horning for delyverance thereof, and na suspensioun to be grantit without the samyn be delyverit." It is evident from the ninth article presented on the same occasion, that the church had other reasons to be dissatisfied with Arbuthnot's qualifications, and that, notwithstanding the number of other presses established at that period, (as those of Ross, Charteris, Lekprevik, &c.) the nation was very inadequately served: "Because there is gryt necessitie of a prenter within the countrie,* and

* One of the great desiderata was the want of Greek and Hebrew types in Scotland.—Lekprevik regrets this misfortune in the preface to his edition of "The Confutation of the Abbot of Crossraguel's Masse, set furth be Maister George Hay, imprinted at Edinburgh be Robert Lekpreuik and sauld at his hous at the Nether Bow. *Cum privilegio*, 1563;"—a work, in which we may observe the Geneva translation of the Scriptures is not used.—Bassandyne, in his New Testament, contrived to find very clumsy Greek types for one word in the note on Revelation xii. 18; but his fount seems not to have comprehended all the letters of the alphabet. He says, "these greke characteres chi xi st [he means χ ξ ϛ] signifie 666; and this nomber is gathered of the small nomber λατεινος."—It is a great deformity in the pages of Smeton's Answer to Archibald Hamilton, (mentioned in the note, p. 39,) that blanks are left for the Hebrew and Greek quo-

there is a stranger banished for religioun, called Vautrolier, quha offers to employ his labour in the said vocatioun, for the weill of the countrie, it will please your Grace and Counsell to tak order herein as your Grace thinks guid, and to give license and privilege to him to that effect, if it sall be thought expedient be your Grace and Counsell." His Majesty seems to have followed the advice of the church in this matter more cordially than in many others, as he was pleased repeatedly to employ Vautroullier as the publisher of works, which were either his own, or set forth under his authority.

It may also be observed, that as Alexander Arbuthnot was appointed his Majesty's printer *for life*, and as his license to print the Bible did not extend beyond *ten years*, nor his license to print the Psalm Book beyond *seven years*, the right of printing the Bible and Psalm Book was not considered as being necessarily involved in the office of king's printer.*

tations, which it was necessary to fill up with the pen. This interesting little work was published the year before the Assembly lamented the "great necessity of a printer within the country."

* It appears, likewise, from the best possible evidence, that the printing of the public statutes was not an essential part of the privilege; as the acts of the parliament holden 20th October 1579, (subsequently to Arbuthnot's appointment,) were printed by John Ross, and the acts of the parliament 1580 were printed by Henry Charteris in 1582. Arbuthnot seems never to have printed any acts till the year 1584. Yet, at that time, King James did not condescend to honour the royal press with the productions of his own pen. His book entitled "the Essays of a Prentise in the Divine Art of Poesie," was

It is not to be conceived, that Bassandyne's Bible as it is called, could have been sufficient for the religious population of Scotland for more than thirty years; and it is certain that no edition of the Scriptures was published in this country between the years 1579 and 1610.

Within that space, we shall be able to show, that editions of the Psalms for the Church of Scotland were frequently printed on the Continent, and imported into this country; and that one edition at least of the Scriptures, in the English language, was printed at Dort, for the same purpose, at the expense of two eminent printers in Edinburgh,

printed at Edinburgh in 1584, by Thomas Vautroullier, who about that time fled from London, in consequence of having been engaged in some offensive publications; but, notwithstanding his temporary residence in Scotland, the operations of his press in the Blackfriars appear never to have been suspended till the year 1588. He printed *at London*, in 1587, a very fine edition of the Psalms *for the use of the Kirk of Scotland*. Vautroullier also printed at Edinburgh, a public paper in the King's name, entitled, "A declaration of the King's Majesties intention and meaning towards the last acts of parliament," set forth in May 1584. This manifesto bears date the 7th of Dec. 1585, before which period, (namely, on the 20th of Sept. 1585,) Mr. George Young had obtained full right to print whatsoever books had been included in the gift to Alex. Arbuthnot, including "all sic workes and volumes as sal be thocht meet and expedient to his Majesties estaitis and lordis of his privie council to be set furth in the Latine, Inglis, or vulgar Scottis toungis tending to the glorie of God and common weill of this realme, &c."—In 1588, a work by King James, (Ane fruitfull Meditation on Rev. xx. &c.) and in 1589, another (an Exposition of 1 Chron. xv. 25, &c.) were printed by Henry Charteris, *cum privilegio regali*, though he was never one of his Majesty's printers.

who never enjoyed any patent. We know also that an edition of the Psalms of David for the Kirk of Scotland, with the Book of Common Order, Calvin's Catechism, and other standard books used by authority of the Church, was printed at London, in 1587, by Vautroullier. The number of editions of such works printed abroad, between the years 1579 and 1610 was very considerable; and the quality was generally such as to secure them a preference, even at a time when the Scottish press was highly respectable.

In that interval many persons had been distinguished by the title of Printers to the King's Majesty; as, for instance, Robert Waldegrave, who had found it necessary to withdraw from England, to avoid the consequences of having printed puritanical books; and who printed at Edinburgh, Skene's Collection of Acts of Parliament, and many other works, but no Bibles.

The gift to Robert Waldegrave, in 1590,* constituted him our Sovereign Lord's printer for life, and gave him, and no other, power to print all acts of Parliament, other acts, proclamations, letters, and charges *concerning his Majesty and his estate*, as also all and sundry books, volumes, works, and writs which shall be seen, allowed, and

* See Appendix, No. VIII.

approved by his Majesty, the presbytery or session of Edinburgh, and therefore to sell and dispone at his pleasure.*

Within three weeks after this grant to Waldegrave, (viz. on the 28th of Oct. 1590,) a letter under the Privy Seal conferred on Mr. Zachary Pont† full liberty, freedom, and license, to exercise by himself, his servants and deputes, the office of chief printer within this realm, and to imprint all kind of books, set forth in any kind of tongue or language not forbidden by the statutes and laws of his Majesty's realm; with power to sell, dispone, and use the said books, to be imprinted as he shall think expedient, and to use all other liberties pertaining to the said office, not prejudicial to his Highness's laws in all time coming during his lifetime.

No mention is made of the Bible, either in the gift to Waldegrave or to Pont; and if they had the privilege of printing it, it must have been because it was not excepted in their letters under the

* See Appendix, No. IX.

† One of the most important of the early works published under this license was, *Propositions and Principles of Divinitie, propounded and disputed in the Universitie of Geneva,* &c. *At Edinburgh, printed by Robert Waldegrave, Printer to the King's Majestie,* Anno Dom. 1591; *cum privilegio regali.* In the same year he printed *The Poeticall Exercises at vacant houres of James the Sixt—King of Scotland—containing The Furies and The Lepanto.*

Privy Seal, or because it was understood to be included among the books described in the one instrument, as being "not forbidden by the statutes and laws of his Majesty's realm," or in the other as being "approved by his Majesty, or by the presbytery or session of Edinburgh." The right had been previously conveyed, in very ample terms, to another individual, namely John Gibson.

John Gibson, bookbinder to his Majesty, purchased from Gilbert Masterton, burgess in Edinburgh, a gift, which had been disponed and assigned to him by Mr. George Young, Archdeacon of St. Andrews, in 1587, and which Young had received from the King on the 20th of September, 1585. This gift was confirmed to John Gibson by his Majesty 20th June, 1589, for printing within the realm, or causing to be printed within or without the same, "the Bible in our vulgar tongue, with the Psalm Book, the double and single Catechise, with the prognostications," and generally all books specified in the license granted to Alexander Arbuthnot, with a prohibition to all his Majesty's lieges to print any of the said books, or to bring them home, or sell them during the space of nineteen years. By a subsequent gift, dated 13th May, 1590, Gibson was empowered to print the Bible, and several other books, such as the works of Sir David Lyndsay, the Dunbar Rudiments, the

Seven Sages, and the Colloquies of Corderius. In July 1599,* he received license to print the Psalm Book, with the prose on the margin. All these rights subsisted in Gibson, or his heirs, till March 1606, when they were purchased by Thomas Finlayson.

It may also be mentioned with regard to Gibson, that he availed himself of his right to print *without* the realm. In the preamble to the license already referred to, as having been granted in July 1599, it is stated that " John Gibson has, on his awin grit chargeis, and be his privat mean and devyse, *causit imprent within Middleburgh in Flanders*, ane new psalme buik in littil volume, containing baith the psalmes in verse, as likewise the same in prose upon the margin, in ane forme never practisit nor devisit in any heirtofor, and tending gritly to the furtherance of the trew religion." He therefore received " free and only licence and liberty to bring hame and sell the said impression, at convenient prices, for seven years."† In four months after the date of this

* See Appendix, No. XII.

† Many editions of the Psalms and Catechisms of the Church of Scotland were printed on the continent, and must have been imported, as they were not used any where else. The writer of this paper possesses three copies of different editions, none of which, however, corresponds to the description in the text; two printed at Middleburgh, one in 1594, and another in 1597, also a third at Dort, 1603. An edition was also printed, *cum privilegio regali*, at Dort in 1601,

license, Robert Smith obtained license to print the Psalm book, and many other books, for twenty years.

Notwithstanding these grants to Gibson, Waldegrave, and Pont, importation by other persons was not prevented by his Majesty. On the 25th of June 1591, John Norton, an Englishman, with his factors and servitors, received full power, liberty, and license from the King to exercise and use his trade and traffic, of inbringing and selling of all sorts of books in all languages and proven sciences within this realm.* The instrument contained a warrant to the Magistrates of Edinburgh, and all other boroughs, to make no impediment to John Norton, his factors or servitors, during his life-time.

Before this time we find that liberty to import

at the expenses of the aires of Henrie Charteris, and Andrw Hart, in Edinburgh, neither of whom ever possessed a royal patent. This beautiful edition includes the Geneva Confession of Faith, received and approved by the Church of Scotland, and is sometimes bound up with a Bible printed uniformly with it, in 1601, as appears from the almanack; but as we have never seen the title page, we cannot absolutely affirm that this also was printed for Andrew Hart and the heirs of H. Charteris. It is quite clear, however, that this is a foreign edition, and that it was intended for the use of the people of Scotland. The calendar commemorates the following facts: "July 29, James the 6. King of Scotland, was crowned in Striviling y^e^ ij yeare of his age. Anno 1567."—"Feb. 14, 1594, HENRIE FREDERICKE Prince of Scotland, sonne to King James the 6. was born in the Castell of Striviling." No other occurrence of modern times has found a place in this brief register.

* Appendix, No. X.

books from England had been occasionally solicited by the government of Scotland. Thus we find among the Burleigh State Papers, in the collection of Lansdowne manuscripts, an application from the Regent of Scotland to the Lord Burghley, for a license to one Hooper to carry books into Scotland, June 12, 1573. It appears also that Andrew Hart, in conjunction with John Norton, had been several years engaged in the speculation of importing books. Hart presented a petition to the Privy Council, 8th February 1589, representing the hurt sustained by the lieges through the scarcity of books, and to what exorbitant prices books had risen, which were brought from England, and sold in this realm at the third hand, in consideration of which he and Norton enterprised two years before, (in 1587,) to bring books from Germany, whence England was chiefly supplied with the best books, and whence this town is furnished now with better books than heretofore, as cheap as they are sold in London.* They asked to have their books cus-

* In the course of a few years Andrew Hart seems to have dissolved his connexion with Norton, probably about the time when Norton received a separate license from the Privy Council. On the 2d February 1592-3, the Town Council took into consideration "sindrie complaynts given in by Henry Charteris, Robert Smyth, Andrew Hairt, Robert Woodhous, Jhon Symsoun, buiksellaris and burgesses of this burt aganis Jhon Nortoun Inglishman and Edmond Wats his servand for ye wrangus usurping of the libertie of this burt thay being unfremen in taking upon yame to haif and hald ane oppin

tom free, as in all other states; and they stated that Thomas Vautroullier, printer, had obtained a decree discharging the Provost, &c. from asking any custom. * The Lords ordained the customers of Edinburgh, and the other burghs and ports, to desist from asking custom for any books or volumes brought, or to be brought and sold by them within this realm, &c. It may be thought that this order could not apply to English Bibles, but it must be recollected that the Geneva Bible, which was chiefly used in this kingdom, could be pro-

chalmer upon the foregaitt wtin the said burt qrin yai had & hes ane greit number of buikis of all sorts qlk yai tak furt and sellis in smallis als weil bund as unbund to all or souerane lords lieges at all tymes And albeit yai haif bene dischargeit be yair l. of the samyn yett yai still continewit in yair wonted tred not regairding but contemnand yair l. authoritie to ye greitt hurt of the priveleges of yis burt and fremen yairof berand all portabill chairges wtin ye samyn and will in na wayis desist and ceis yairfra wtout yai be compellit The said compleners comperand be ye said Androw Hairt and Jhoun Gibsoun and ye said Jhoun Nortoun beand personallie present thair ressouns and allegatiouns hard & considerit and yairwt beand rypelie avysit The said baillies and counsall decernis and ordanis the said Jhoun Nortoun and the said Edmond his servand to desist and ceis fra all copping and selling of ony sort of bwiks *in smallis* in howsses buiths chalmeris or other places wtin the said burt and libertie yairof privatlie or oppinlie and fra all halding of buith or chalmers to yat effect in all tyme coming under payne of confiscatioun of the saids buiks swa oft as yai failzie according to the laitt act of prliament maid anent ye privilege of burrowes, and using merchandice Qrupoun the said Andrew Hairt asket instrumentis." Town Council Register, Vol. ix. f. 183.

* Sexto Aprilis 1580. "The same day ordanis acts to be direct chairgeing Thomas Vautroller buikseller to mak payment to thesr of the custome of all buiks brot be him wtin this realme vnder ye pane of wairding." Council Register of the City of Edinburgh, Vol. vi. f. 32.

cured more easily from Holland and other parts of the continent, than from England. A few years afterwards (in 1597) Hart found it necessary to petition the Lords of Exchequer, who also found, declared, and ordained, that no custom or customs should be asked, or taken from the complainer for any books or volumes already brought in, or to be brought in by him within this realm in any time coming. * About this time Hart and the heirs of Henry Charteris undertook a foreign edition of the English Bible with Psalms for the use of the Church of Scotland. It was printed at Dort in 1601.

Waldegrave's license (as we have seen) was for life; but it appears afterwards to have been extended to his heirs, as it was disposed of after his death by his widow, with consent of his children, in 1604. It included a special privilege to print sonnets, pamphlets, and ballads, as well as acts of Parliament and other acts. With regard to acts of Parliament, though the power of printing them was conferred exclusively on him, *in so far as concerned his Majesty and his estate* it must be observed that in the privilege to print the acts granted by James VI. to Sir John Skene, 1st March 1597,

* Appendix, No. XI. Andro Hart contra the Customaris. June 1, 1597.

his Majesty recognizes the right of the Clerk Register for the time, to nominate the person who shall print the laws and acts of parliament *concerning the common weill*, and gives full power to Skene, clerk of our council, rolls, and register, to cause the saids laws, constitutions, and acts, be imprinted be Robert Walde-grave our printer, *or be onie uther quhom it sall please him to nominate to that effect.**

Before either Gibson's or Waldegrave's right † had expired, and while another license granted to Robert Smith in 1599, and confirmed to his son

* A remarkable circumstance in the life of Waldegrave, proves that *purity of text*, either of the sacred volumes or the books of human law, is not necessarily secured by committing the charge of printing them to a person nominated by his Majesty. On the 4th of February 1596, Robert Walgraif, printer to his Majesty, was "accusit be Mr. William Hairt, advocate to our sovereign lord, for the treasonable emprinting, vitiating, and altering an act of parliament passed penult May 1592, entitled, 'Act for the abolishing of acts concerning the kirk.' He declares his innocence, that he printed the act as brought to him, and if any wrong be done, the same was done be him wha brought it. He came in his Majesty's will and mercy, declaring upon his soul and conscience, he never offendit his Majesty in thought, word, or deed."

"The justice depute, continuit, and tuke the coming in will untill he knew his Majesty's mind."—"Feb. 4. He is impanelled, and an assize set. The assize in one vote fyles the said Robert Waldgraif." *(Excerpts from the Records of the Court of Justiciary.)*—He was thus found guilty,—but the very next year he was appointed to print Skene's *Collection of the Acts of Parliament.*

† A small work, entitled, Συν θεῳ ἐν χριστῳ, The Answere to the Preface of the Rhemish Testament, by T. Cartwright, was printed "at Edinbvrgh, by Robert Walde-graue, Printer to the King's Majestie, 1602. *Cum privilegio regis.*"

in 1602, was also subsisting in the heirs or assignees of Smith, an appointment under the privy Seal was granted to Mr. Robert Charteris, (8th Dec. 1603,) nominating him, in the same manner with Waldegrave, to be, "during all the days of his life-time, printer to our sovereign Lord, with power to him, and none others, to print all acts of parliament, other acts, statutes, proclamations, letters, and charges concerning his Majesty and his estate,* as also all books approved by his Majesty, the presbytery, or session of Edinburgh, and thereupon to sell and dispone at his pleasure." Importation was not prohibited; but as Bibles are not expressly included in the grant, it is unnecessary to say more on this case, than that it does not support the claim of his Majesty's printer, to prevent the introduction of foreign editions of the works to which his right extends.

While Charteris held the gift of King's printer, an edition of the Bible, following the Geneva translation in the Old Testament, but not so closely in the New, was printed at Edinburgh by Andrew Hart, in 1610. This, as well as Bassandyne's edition, was in folio, and, though well

* The clerk-register appointed what printer he pleased to print all the acts, *so far as concernes the common weill.* The King's printer's power was limited to acts, proclamations, &c. *concerning his Majesty and his estate.*

adapted for the pulpit or for family use, could not be attainable by persons in humble circumstances. This edition was much admired, and it continued long to be accounted a high recommendation, to be "conform to the edition printed by Andrew Hart." A very handsome Bible, printed at Amsterdam in 1640, claims this distinction in the title page. We have seen formerly, that every parish kirk, though already supplied with a Bible, was required to provide a copy of Bassandyne's edition; and it appears that a similar injunction with regard to Hart's Bible was imposed by the provincial assemblies. Thus in the records of the diocesan synod of St. Andrew's, which sat down on the 2d of April 1611, we find the following minute: "Forasmeikle as it was thought expedient that there be in every kirk ane commoune* Bible, it was concludit that every brother sall urge his parochiners to buy ane of the Bybles laitlie printed be Andro Hart, and the brother failzing either to caus buy ane as said is, or ellis to gif in his exact diligens sall pay at the next synod 6 lib. money, (*i. e.* 10 shillings Sterling.") †

* By a common Bible, we are probably to understand, the Bible which lay on the reader's desk, or on a shelf adjoining the pulpit, and which might be consulted by the parishioners in common.

† The year before this meeting of the diocesan synod of Fife, the assembly at Glasgow had materially changed the government and discipline of the church of Scotland, and had required every person pro-

When this edition of the Bible was published by Andrew Hart, who, though very eminent in his profession, never had the honour of being printer to his Majesty, another individual, besides Charteris the King's printer, was in possession of a special license, enduring for twenty-five years after June 1606, to print the Bibles in the vulgar tongue or in Latin, with the Psalm Book, and a great many other works, some of them serious, but most of them humorous or trifling. In the sequel of this paper, notice will be taken of some of the clauses of this remarkable grant, ratifying to Thomas Findlasone the accumulated privileges formerly bestowed on Mr. George Young, Gilbert Maistertoun, John Gibson, Robert Waldegrave, and Robert Smyth, and purchased by him from their heirs, besides conferring on Findlasone

vided to any benefice, to swear that "the right excellent right high and mighty Prince James the Sixth, is the only lawful supreme governor of this realm, as well in things temporal, as in conservation and purgation of the religion." In the following Parliament (Oct. 1612,) which rescinded the act (5th June 1592,) ratifying the liberty of the true kirk and the Presbyterian church government, this oath of supremacy was approved with some essential alterations, tacitly introduced. Thus after the words, "James the Sixth, King of Scotland, England, France, and Ireland, Defender of the Faith," &c. it is added, "is the only lawful supreme governor of this realm, *as well in matters spiritual and ecclesiastical* as in things temporal." It was therefore at the time when the King was acknowledged as supreme governor in things spiritual, that the Geneva Bible was thus required to be used in churches, after a new translation had been published in England.

various additional privileges. It deserves, in the mean time, to be remarked, that Findlasone and his predecessors had the power of importing Bibles, and all the other books and articles of stationery specified in his gift, as well as of transporting and sending forth of the realm all such books, playing cards, maps, charts, and pictures, as he could not sell and dispone within the same. If the right of importing Bibles had not been enjoyed at all, during the long interval between Bassandyne and Arbuthnot's edition and the edition of Andrew Hart, the population of Scotland must have been very inadequately supplied; and, if this right was enjoyed only by a succession of printers, or if the printers could then give permission to import Bibles,* (as it is presumed his Majesty's printers think they can at present,) how could the purity of the text be secured by their privilege, any more than it would have been by leaving it to the discretion of every individual to order whatever edi-

* Lekprevik, Arbuthnot, Findlasone, &c. had power to *cause* certain books *to be imprinted,* not only within but *without the realm,* and in some of the licenses all other persons are prohibited to print, or cause to be imprinted, either within or without the realm. As the printers had the power of selling or disponing the privileges of printing within the realm, they were equally at liberty to transfer the privilege of importing in their names. No penalty was annexed to the abuse of this power, and every person who either purchased it, or obtained it as a favour, must have exercised it *suo periculo.* How far the purity of the text was better secured thus than by freedom of importation, is not very easily demonstrated.

tion he might prefer? The people had no standard edition with which to compare the copies which they purchased; and if licensed printers suffered inferior or inaccurate copies to be brought into the market, it is difficult to perceive what redress could be obtained for an injury which cannot be compensated by silver or gold.*

* Though Andrew Hart's bible has been described as an edition of the Geneva version, it must not be considered as a reprint of Bassandyne's, or of the edition printed at Geneva in 1560. The Old Testament is indeed the same both in the text and notes. But the New Testament is not of the Geneva translation, like Bassandyne's, but that which was published first in 1576, by Laurence Tomson, an under secretary to Sir Francis Walsingham, and which, though not varying very essentially in the text, contains quite a different set of annotations, (said to be taken from Beza, Joachim Camerarius, and P. L. Villerius,) generally much longer, and not always more valuable. The following specimen may give an idea of the difference. In the Geneva New Testament, or Bassandyne's, the exposition of the words, "poor in spirit," (Matth. v. 3,) is, "they that feel themselves void of all righteousness, that they may seek it only in Christ." In L. Tomson's, copied by Andrew Hart, the same words are paraphrased thus: "Whose minds and spirits are brought under, and tamed and obey God;" and in a separate note it is said, "Under the name of poverty are all such miseries meant, as are joined with poverty." On the next verse, "Blessed are they that mourn," Hart has no note; but Bassandyne gives the Geneva gloss, "who feel their own misery, and seek their comfort in God." In the same manner, many of the verses, which are illustrated in Bassandyne's edition by marginal notes, have none in Hart's edition; and, on the other hand, copious notes are often given by Hart, where Bassandyne has none. It would probably be a fruitless inquiry, if we were to attempt to ascertain by what authority this change was introduced in the Scottish bibles. Tomson's notes might be less disagreeable to the king than those of the original Geneva New Testament; or, perhaps, as they had been generally adopted in the numerous editions of the Geneva bible, printed in England after the year 1576,

When we speak of the inadequate supply of Bibles furnished by the Scottish press to our forefathers in that age, it may be supposed that we possess no sufficient data entitling us to assume so material a fact. But though we cannot ascer-

they might be considered as an improvement. We have not the least reason to believe that they were introduced in consequence of a revision by the direction of the church; although it is worthy of remark, that such a revision was at one time proposed. In the last session of the Assembly at Bruntisland, 16th May 1601, "it being meint be sundrie of the brethren, that thair wes sundrie errors that meritit to be correctit in the vulgar translation of the bible, and of the psalmes in metre, as also that there was sundrie prayers in the psalme buik quilk wald be alterit, in respect they are not convenient for the tyme, in the quilkis heids, the Assemblie hes concludit as follows: first, anent the translation of the bible, that every ane of the brethren quha hes best knawledge in the languages, employ their travels in sundrie partes of the vulgar translatioun of the Bible, that neides to be mendit, and to conferre the same together at the next Assemblie. Anent the translatioun of the psalmes in metre, it is ordainit that the same be revisit be Mr. Robert Pont, minister of St. Cudbert's kirk, and his travells to be revisit at the nixt Assemblie, &c." There is no reason to think that any such revision took place, as the record of the Assembly is silent on the subject. But we have more direct evidence that such a plan was never executed. Nearly thirty years after this period, an attempt was made to introduce the use of King James's translation of the Psalms, which Sir William Alexander received license to print about the year 1627. Among the "reasons why the Psalms of David in metre should be sung in the Kirk of Scotland as they have been since 1564," one is, that "in the Assembly of Bruntisland, May 1601, on occasion of a certain motion made by some brethren concerning our vulgar translation of the Bible, &c. it was ordered that Mr. Robert Pont should revise the Psalms, and that his labours should be revised at the next Assembly; but as the motion proceeded from personal respects, so it is to be supposed, that if that faithful man, who was both holy and learned, had found any just cause of alteration, neither he to whom the matter was recommended, nor the Assembly who should have taken compt of his diligence, would have suffered that matter to be buried in oblivion."

tain the extent of the demand, we can be at no loss to discover that it must have been much greater than is generally imagined. In the year 1542, when the importation of the Scriptures was first allowed, Knox says, " Then might have been seen the Bible lying almost upon every gentleman's table. The New Testament was borne about in many men's hands." Even at that early period we know that two editions of the Chronicle of Scotland, a work which now fills two handsome quarto volumes, had been published in Scotland in the course of five years. Soon afterwards, Harrison's translation of the same work passed through two editions in England. Not to mention the acts of the Scottish parliament, printed by Davison, the impression commonly designed the Black Acts, including all the parliaments from James I. to the accession of James VI. printed by Lekprevik in 1566,* was speedily exhausted, and required to be supplied by another edition within thirty years.† Can it be for a

* It has generally been affirmed that Lekprevik printed two editions of the Scotish Acts, one dated 12th October 1566, and the other 28th November 1566. The late John, Duke of Roxburghe, collated copies of each, and found that they corresponded exactly, in all respects, except this, that what is called the first contains some acts concerning religion, which have been cancelled in the second.

† We are not ignorant of the singular statement contained in Bysset's Rolment of Courtes, MS. mentioned by Dr. Leyden in the preliminary Dissertation prefixed to the Complaynt of Scotland. " The

moment supposed that the demand for acts of parliament was greater than the demand for Bibles? But as a surer criterion of the general prevalence of a taste for reading, we may state, that between the year 1565, when Lekprevik received a license to print part of the Bible, and the year 1610, when Andrew Hart's edition of the Bible was published, there were more than thirty foreign editions of Buchanan's Psalms, and not fewer than nine or ten Scottish editions of the collected works of Sir David Lyndsay, besides two editions printed in France, and three in England, (chiefly for importation into Scotland,) and as in three times that period there had not been more than twelve editions of the works of Chaucer, we may conceive that the passion for reading in Scotland was greater in proportion to the population than it was in England. If, with this statement, we contrast the fact, that of the Geneva translation alone, nearly fifty editions were

saidis actis, imprinted be ye said Lekprevik, war coft fra him in albis, unbund, be umq[ll] Mr. James Makgill of Nayir Rankcloure, Clerk of Register for the tyme, and for the maist part war distroyed, sua that within schort space therefter, few or nane could be fundin gettabill to buy and sell thareof be the lieges." We believe the destruction to have been confined to the suppressed acts, which occupied a considerable number of leaves. Perfect copies are exceedingly rare. That the others are not very uncommon, is well enough known. Within the last twenty years there have been two impressions of the cancelled sheets, one at the expense of the late Duke of Roxburghe, and another far better executed by the late Sir Alexander Boswell of Auchinleck.

published in England, in little more than thirty years, besides a vast number of Parker's, or the Bishops Bible, and several of Cranmer's, both of which, as well as the Geneva, were used in that national church, before the introduction of the present version, and that the Scots, though five times fewer in number, were much more generally educated, besides being a graver people than the English, we cannot help concluding that as between the year 1560, when the first General Assembly met, and the year 1618, when Hart's Bible appeared, England produced more than a hundred editions of the different versions, fewer than twenty editions would not have readily sufficed for Scotland during the period when it produced only one. At this time, it must be recollected, the Reformation had been established in Scotland fifty years, and the people had enjoyed the liberty of reading the Scriptures for the space of seventy years, and innumerable books had been published, not only by the King's printers already enumerated, but by many other printers, such as John Scott, Thomas Vautroullier, and Henry Charteris, before the entire Bible or even the New Testament came to a second edition.

In the year 1611, Thomas Findlasone, formerly mentioned, received authority from the *Lords of Secret Council* " to print the haill Actis of Par-

liament, whilkis, as yet, has not bene putt to the presse; as, alsua, the articlis concerning the Justices of Peace, and Constables, for twenty years." About a year afterwards, (17th June 1612,) the king, "understanding that the gifts of the privilege to be his Hienes's Printer hes fallin and becum in his Hienes hands at his disposition, through being of Mr. Robert Charteris, to quhom the samyn appertenit, denuncit lauchfullie rebell, and put to his Hienes horn, at the instances of George and Margaret Smyths, for not payment to them of certain soumes of money, and contemptuously remaining thereat attour the space of year and day," was pleased to ordain a "letter to the said Thomas Findlasoun, makand, constituand, and ordainand him Printer to our Soverane Lord, and gevan the privilege thereof to him in all languages, for all the days of his lifetime, togidder with the haill privileges of printing pertaining to the said Mr. Robert (Charteris,) with power to the said Thomas Findlaysoun and no utheris be himself and his servands; for whom he sall be haldin to answer, to imprint and caus be imprintit, all and sundrie utheris actis, statutis, proclamatiounis, letteris, and chargeis *concerning his Majestie and his estait;** as also the buikis of Holy Scriptour, contening the Auld and New Testamentis, in all lan-

* See Note, p. 33.

guages, in haill or in pairt, and in quhatsumever volumes, grytt or small, approvit Cronicles of Scotland, in Latine and Inglis, and all and sindrie buikis, volumes, workis, and writtis, quhilkis sal be seine allowit and approvit be his Hienes, the holy fatheris in God, the archbischoppis of Sanctandros or Glasgow, the presbiterie or sessioun of Edinburgh, and thairupoun and all uther buikis aggriable with Goddis word, and liberall sciences, to buy, sell, and dispone at his pleasure." " And mair attour, becaus the Lordis of his Hienes secreit counsall, in speciall contemplatioun of the reddie and guid service done be the said Thomas to his Hienes and the said Lordis, at all occasionis, hes grantit and gevin speciall and onlie privilege, and licence to him, to imprint, and caus be imprintit, the articles concerning the Justices of Peace, and Constabillis, within the said realme, the buik of customes, rates, and valuation of merchandise, with certain uthers buiks particularlie specifyit in the Actis of the said Lordis of Secret Counsall maid thairupoun. As also, the said Thomas Findlaysoun hes, be his Hienes gift, under the privie seill, ratifeit, approvin, and of new gevin to him for the space of twenty-five years next after the dait of the said gift, certain liberties and privileges for imprinting of diverse buikis, and furnissing necessaris for printing, particularly expressit in the said

gift, of the dait at Edinburgh, 17th Junii, 1606 yeiris, his Hienes, with advice of the saidis Lordis of his Secret Counsall, ratifies, &c. for the space of twenty yeiris next to cum, the only privilege and license to imprint, and caus to be imprintit, the buikis contenin the saidis Actis of Counsall, and in the foirsaid gift, &c. discharging all printers, buiksellers, and all utheris his Hienes liegis, within his Hienes kingdom of Scotland, to print, or caus be printed, within or outwith the said realme, any of the saidis haill buikis particularlie specifeit heirin, in the said Actis of Counsall or gift foirsaid; or to bring hame, or ony way to sell, the samyne within the said realme, during the said haill space of twentie yearis nixt and immediatlie following the dait of thir presentis, *(exceptand alwayis the Byble, the New Testament, and the Psalm Buik, quhilkis sall nawayis be comprehendit under this present gift, but speciallie reservit and exceptit furth thairof,)* under the pane of five hundereth merkis," &c.*

It will be observed, that this license endured from the year 1612 to the year 1632; and it may here be mentioned, that, before it expired, Thomas Finlayson died, and his Majesty, " being crediblie informit that the relict and bairnes of the said

* Appendix, No. XVI.

umquhill Thomas Finlaysone are abill sufficiently to use and exerce the said office and chairge, quherof they have given laitlie proof in his Majestie's service," was pleased, on the 17th January 1628, to nominate "Walter Finlaysone, second lawful son to the said Thomas Finlaysone his aires and assignayis for the space of thirteen yeiris nixt and immediatelie following the dait of thir presentis, his Majesties Printers of all his Hienes Actis of Parliament, Actis of Secret Counsall, Commissiouns, Proclamatiounes, and utheris actis, statutis and ordinances, maid be his Hienes or his predecessouris, or to be maid be his Majestie or his Hienes successours:"—and farther granted of new to Walter Finlaysone, his heirs and assignees for thirteen years, "speciall license, libertie and privilege, to imprint all and sindrie buikes, volumes, great and small, and utheris particularlie and generallie mentionat, and set down in the said letteres of gift grantit be his Hienes said umquhill father, to the said umquhill Thomas Finlaysone and his abone written, with all and sindrie liberties, privileges, fees, casuallities, profeites, commodities, immunities, and utheris therein exprest."*

This prolonged grant was to continue in force till the year 1641, and it comprehended all the

* Appendix, No. XXII.

extensive privileges which had been enjoyed by Thomas Finlayson during a long series of years. What these were it may be of some importance to recollect. " The Bible, to wit, the Old and New Testaments in our vulgar tongue, or in Latin," was one of the books which he had license to print. But this, and the Psalm Book, was evidently not considered as being more within the range of the King's prerogative than the Dunbar Rudiments, (the production of Andrew Simson,) the Colloquies of Corderius, the Works of Sir David Lyndesay, the Seven Sages, the Fables of Æsop, Gray Steel, and several works of fiction, the importance of which can scarcely be alleged to have been so great as to induce his Majesty to grant an exclusive right of printing them for the sake of securing the *correctness and purity of the text.* Much less can we suppose, that this was the cause which moved the first king of Scotland, who ever claimed the titles of Defender of the Faith, and head of the church, to give Thomas Finlayson the special power and privilege for twenty-five years, to make, or cause to be made, and to sell within the realm, or " transport" out of it, all sorts of *playing cards,* and *pictures,* and *portraits of men and women of all sorts.* The monopoly of these articles, and of maps and charts, might enrich the patentee ; but it would require much in-

genuity to prove, that the power of bestowing such an exclusive right was "a beneficial trust reposed in the crown by the constitution," or that the exercise of it was dictated by "reasons of religion, policy, and state."

We may probably be told that this is an unwarrantable misrepresentation of the position maintained by his Majesty's Printers for Scotland, and said to be admitted by the booksellers, (though we are not called upon to acquiesce in their concessions, if they were indeed so rash as to make them,) with regard to the Crown's exclusive privilege of printing the Bible. The Crown does not now claim the sole right of printing Æsop's Fables and the Seven Wise Masters; nor does it insert the privilege of selling pictures and playing-cards in the same patent with the liberty of printing the Bible and other books of devotion. But still it may be said, the right of printing these sacred books is inherent in the Crown; and it is this only, which is described as being "founded on reasons of religion, policy, and state," and it is this branch of the prerogative which is "an important and beneficial trust reposed in the Crown by the Constitution, for the preservation of the purity of the Sacred Scriptures."

If it be an important and beneficial trust—if it be founded on reasons of religion, as well as policy

and state, and if it be necessary for the preservation of the purity of the Scriptures, all this must have been understood by the first Scotish sovereign, in whose name licenses to print the Scriptures were ever issued; and it is not to be conceived that he should have been so unfaithful to his trust as to renounce or limit this power, so as to endanger the purity of religion and the spiritual interests of his subjects. But we have seen, in the licenses to the privileged printers, which have been hitherto under our consideration, that when the importation, as well as the printing of books of mere secular learning, was most strictly prohibited to all others, they were not prevented from printing the Bible in the same terms as they were prevented from printing other books. And it now appears, from the second grant to Finlayson, in 1612, not only that the Bible, the New Testament, and the Psalm Book might be lawfully imported, (as these books must have been, without interruption, for more than forty years,) but that any printer, bookseller, or other individual, might lawfully print them, or cause them to be printed, either within or without the kingdom. For it is evident that the prohibitive clause is expressly and entirely abrogated, with regard to the printing of Bibles, New Testaments, and Psalm Books, as well as with regard to their importation, if importation was ever

prohibited. Government, therefore, must have thought it much safer to leave the printing of the Bible free from restraint, than to extend the same liberty to any other book.

That it was not thought, by any means, safe to allow the unrestrained publication of books in general, appears from the "proclamatioun anent prenting of bookis," issued 2d July 1612, only a fortnight after the date of Finlayson's license.* It is there stated that great harm arises from printing and publishing of erroneous, heretical, slanderous, seditious, and treasonable books, whereas, if they were first perused, the divulging of erroneous opinions in religion, and slanderous, seditious, and treasonable reports in history and otherwise, might be prevented; and therefore his Majesty commands and inhibits all printers and booksellers, that they put no book of divinity or devotion to the press, except it be first perused and approved by one of the archbishops; no book of history, or other part of humanity, except it be allowed by the secretary; and no book of law, without being perused by commissioners appointed by the chancellor and College of Justice: and in every case it was to be testified, that the book to be printed contained nothing contrary to the truth of sincere

* Appendix, No. XVII.

religion, good manners, or the laws of the realm. It is added, and because many books are bought and sold in this kingdom, which are not printed within the same, therefore booksellers are no way to presume to utter any written by popish or suspected writers, without license of the bishop of the diocese, or his Majesty's secretary.* None of the reasons of restriction here mentioned could possibly apply to the Bible. It was unnecessary, before printing an edition, to require the archbishops to read it, to ascertain that it contained nothing contrary to the truth of religion. And, in the case of importation, it was equally unnecessary, before it was sold or uttered, to apply for license from a bishop, or a secretary of state, because it was sufficiently known that it was not written "be ony popish or suspect writer."

At that time it was by no means uncommon to

* Another "proclamatioun anent the prenting of bookis beyond sea," in June 1615, was evidently aimed at such writers as Calderwood, who, being unable to obtain license for their works at home, sent them to be printed in the Low Countries. It states that divers ministers and others have of late taken a course to send some books and pamphlets to be printed beyond seas, especially at Middleburgh, the same not being revised and allowed by those whom his Majesty has authorized with that privilege, which, with time, may breed great inconvenience both to this estate and kirk. Therefore all are charged and inhibited:—"that nane send ony bookis, wryttingis, or pamphlettis, of quhatsumever subject, to be published and prented beyond the sea, except the same haif bene first revised and approved by the archbischoppis of Sanctandrois and Glasgow, and by his Majesties secretaire of estate."

publish books in England for the express purpose of being imported into Scotland, without being subject to any revision by the public censors of the press. Thus a very celebrated work was set forth by the royal authority, both in Latin and in English; and the title page is sufficient to refute all that his Majesty's Printers now maintain with regard to their exclusive right, not only to print in Scotland, but to exclude from Scotland, all such authoritative publications as royal proclamations, though printed at one of the privileged presses in England. The work to which we allude is "DEUS ET REX: SIVE DIALOGUS quo demonstratur, *Serenissimum D. nostrum* JACOBUM Regem, immediate sub Deo constitutum in Regnis suis, iustissimè sibi vendicare *quicquid in juramento* FIDELITATIS requiritur. Londini, Excussum cum speciali Regiæ Majestatis *priuilegio et mandato, pro regione Scotiæ*, 1616." The English title runs thus, "GOD and the KING: or a Dialogue shewing that our Soueraigne Lord King JAMES, Being immediate under God within his DOMINIONS, *doth rightfully claime whatsoeuer* is required by the oath of ALLEGEANCE. LONDON: Imprinted by his Maiesties speciall Privilege and Command, to the only vse of Mr. *Iames Primrose*, for the Kingdome of Scotland. 1616." This work, compiled and printed by the command of King James, was, in sub-

sequent reigns, reprinted and published by his Majesty's Royal Proclamation, for the instruction of all his Majesty's subjects, and not one of his Majesty's Printers for Scotland could have dared to prevent its importation; though this must have been included among the proclamations, letters and charges *concerning his Majesty and his estate*, the right of printing which was conveyed to them in much stronger terms than the right of printing the Scriptures.

The reservation of the Bible in the gift to Finlayson, in 1612, must probably have been dictated by the King's desire to facilitate the introduction of a new translation, which had been published in England the year before, and thus eventually promoting his favourite object of reducing the church of Scotland to an entire conformity with that of England, in government and worship, as well as in doctrine. It is now time to advert to the history of that translation.

In the year 1603, on the second day of the conference at Hampton Court, Dr. Reynolds, one of the puritan divines, moved his Majesty that a new translation of the Bible might be undertaken. The bishops, thinking the then authorized version sufficient, did not seem to relish the proposal. But the King declared that he could never yet see a Bible well translated in English; and he

pronounced the Geneva translation to be the worst of all.* So at least says Dr. Barlow in his Sum and Substance of the Conference.

* He objected particularly to the notes, having found "annexed to the Geneva translation (which he saw in a Bible given him by an English lady) some notes very partial, untrue, seditious, and savouring too much of dangerous and traitorous conceits; as for example, Exodus i. 19, where the marginal note alloweth disobedience to kings; and 2 Chron. xv. 16, the note taxeth Asa for deposing his mother only, and not killing her." This is Dr. Barlow's account of his Majesty's "grave and judicious" observations. But if there were no other reason for disputing Dr. Barlow's accuracy, this single passage contains internal evidence, sufficient to throw discredit on his whole narrative. First, it is inconceivable that King James should never have seen a Geneva Bible till he had one given him by an English lady. The only Bible which had ever been printed in Scotland was of the Geneva translation, and contained the offensive notes. Secondly, it is not very probable that the King would speak so disrespectfully of a translation which he had authorized to be printed for the instruction of his subjects, and it is incredible that, after this opinion was pronounced, he should have never, during the remaining twenty-two years of his reign, authorized the printing of any other version in Scotland. Thirdly, we cannot believe that his Majesty could be guilty of the inconsistency of complaining of annotations expressed in the very words of a book set forth by his own authority a few years before his accession to the English throne; namely, in the *Propositions and Principles of Divinitie,—printed at Edinburgh by Robert Waldegrave, printer* to the King's Majestie, Anno Dom. 1591. *Cum Privilegio regali.* Fourthly, it is almost incredible that King James should not have learned that the Geneva translation was so highly esteemed by many of the most learned divines in the Church of England, as to be used in preference to what has been called the Bishops Bible. Thus Dr. Abbot, Professor of Divinity, and Master of University College, Oxford, afterwards Archbishop of Canterbury, one of the translators selected by King James, in his Exposition of Jonah, contained in thirty sermons, preached in St. Mary's Church, Oxford, in 1599, has always used the Geneva version. In the same manner, Dr. Gervase Babington, successively Bishop of Llandaff, Exeter, and Worcester, one of the Members of the Hampton-Court Conference, had been accustomed to use that version in his Sermons preached at Court, as well as in his Expository Works on the Creed,

According to Dr. Barlow, his Majesty proposed "that some special pains should be taken for one

the Commandments, and the Lord's Prayer, and in his "Comfortable Notes on the Five Books of Moses." The same observation applies to Dillingham, one of the translators, and many others, whom it is unnecessary to name. We cannot, however, pass by Bishop Overall, whose Convocation Book was first printed in 1689, with the Imprimatur of the Archbishop of Canterbury (Dr. Sancroft.) The Acts and Canons contained in this book were passed by the Convocation, which was summoned by James I. in the year of the Hampton-Court Conference, and which continued by adjournments and prorogations to 1610. They were read three times in the Lower House of Convocation, and approved by unanimous consent. They were afterwards approved by the Upper House of Convocation, and passed with a few amendments, as appears from the attestation of Archbishop Bancroft, who presided. In a very few instances, the quotations of Scripture are taken from the Bishops Bible; but in general they are taken from the Geneva version; and any one who will take the trouble of comparing the passages quoted, as they are rendered in these two versions, will at once perceive the superiority of the latter. Thus, Eph. 6, 11, 12, thus translated in the Bishops Bible,—"we wrestle not against blood and flesh, but against rulers, against powers, against worldly governors of the darkness of this world, against spiritual wickedness in heavenly places,"—is rendered in the Geneva,—"we wrestle not against flesh and blood, but against principalities, against powers, and against the worldly governors (the princes) of the darkness of this world, against spiritual wickednesses (which are) in the high places."—We find also Dr. Richard Montagu, (the least puritanical person of his age, and one of the greatest favourites of King James) who died Bishop of Norwich in 1641, using the Geneva version frequently in his Acts and Monuments of the Church before Christ, printed at London by Miles Flesher and *Robert Young* in 1642. Lastly, it is truly wonderful that neither his Majesty norBishop Barlow should have known, that the very notes which were so much reprobated had been adopted into the Bishops Bible, published in 1568 by Archbishop Parker, whose respect for the Geneva version was very strongly expressed in his letter to Sir William Cecil, 9th March, 1565-6, applying for leave to John Bodleigh to print it. He says, that he and the Bishop of London "thought so well of the first impression of this

uniform translation, and this to be done by the best learned in both the universities, after them to be reviewed by the bishops and the chief learned of the church; from them to be presented to the privy council, and lastly to be ratified by his royal authority; and so *this whole church* to be bound unto it, and none other." This course is generally understood to have been followed.

The translation was evidently intended for the use of the Church of England. It is not to be supposed that the king or the bishops understood the expression, *this whole church*, in any other sense. If there could be any doubt upon the subject, it is removed by the testimony of Mr. Patrick Galloway, who was present at the Conference,

Bible, and the review of those who had since travelled therein, that they wished it would please him (the secretary) to be a means that twelve years longer term might be by special privilege granted to Bodleigh, in consideration of the charges sustained by him and his associates in the first impression and the review since; that though another special Bible for the churches was intended by them to be set forth as convenient time and leizure should hereafter permit, yet it should nothing hinder, but rather do much good to have diversity of translations and readings." The notes of the Geneva Bible sometimes inculcate loyalty more strongly than the Bishops Bible, as Tit. iii. 1. "Although the rulers be infidels, we are bound to obey them in civil policies, and whereas, they command us nothing against the word of God." Whatever may be thought of the notes, no man of sense will speak slightingly of the Geneva version. Even Dr. Geddes says that it is in general better than that of King James's translators. These translators have frequently inserted the reading of the Geneva Bible on the margin; and it must be admitted that it is in many instances preferable to what they have admitted into the text.

and who wrote a relation of the proceedings, which (as he states in his letter to the presbytery of Edinburgh, 10th Feb. 1604) he presented to his Majesty, who with his own hand mended some things, and added other things, which had been omitted. Of this corrected copy, Galloway sent to the presbytery *a just transumpt.* In the note of such things as shall be reformed, the second article is, " That a translation be made of the whole Bible, as consonant as can be to the original Hebrew and Greek, and this to be set out, and printed without any marginal notes, and only to be used in all churches in *England* in divine service."*

* When the translation was published, it bore on the title, " *Appointed to be Read in Churches.*" The words, " By his Majesty's Special Command," are printed in the early editions so as to make it evident that they are not connected with the appointment to be read in churches, but merely with the words, " newly translated,"— " compared," and " revised." It does not seem to be generally, if at all, known by what authority this version was introduced. Bishop Newcome does not pretend to any information on the subject. He quotes a writer in the Bibliotheca Literaria, No. IV. p. 72, A.D. 1723, who says, that it "seems to have made its way by a general consent and approbation, without the interposition of authority to enforce it." Dr. Symonds, in recommending a revision of the present English version of the Gospels, &c. employs nearly the same words, saying, " The present version appears to have made its way without the interposition of any authority whatsoever; for it is not easy to discover any traces of a proclamation, canon, or statute, published to enforce the use of it." " The Constitutions and Canons Ecclesiastical, agreed upon with the King's License by the Convocation for the Province of Canterbury in 1603, and published for the due observation of them by his Majesty's authority under the Great Seal of England," are considered as the existing code of ecclesiastical law in England. They

At this time the King's Printer in England was in the custom of printing both the Bishops Bible and the Geneva Bible, and occasionally Cranmer's (the revision of Tyndale's); but that of Geneva, though disliked by the King, was much more popular than any other, as nearly fifty editions of it were printed at London, besides great numbers at

have passed through many editions. We quote from that "imprinted at London by Bonham Norton and John Bill, Printers to the King's Most Excellent Majestie, 1628." The eightieth Canon, entitled "*the Great Bible* and Booke of Common Prayer to bee had in every Church," orders that "if any parishes be yet unfurnished of the *Bible of the largest volume*, or of the bookes of homilies allowed by authority, the church-wardens shall within time convenient provide the same at the charge of the parish." On the words *Bible of the largest volume* we find in Burn's *Ecclesiastical Law* the following remarks taken from Bishop Gibson: "This was directed by the second of Lord Cromwell's injunctions under King Henry the Eighth; and in the thirty-third year of the same reign it was enforced by proclamation and a penalty of 40s. The like order for this, and also for the paraphrase of Erasmus, was in the injunctions of Edward VI. and continued in those of Queen Elizabeth, and (together with the book of homilies) in the canons of 1571. But what Bible is here meant, by that of the *largest volume*, is not very clear. King James the First's translation was not then made: Queen Elizabeth's Bible was called the *Bishops Bible;* and the translations and reviews, commonly called the *Great Bible*, were those of Tindal and Coverdale, in the time of King Henry the Eighth, and that which was published by direction of Archbishop Cranmer, in the reign of Edward the Sixth." We can assign no other authority for using the present version of the Bible, except that of the Conference at Hampton Court, in 1603. The conclusions of the Hampton-Court Conference might be binding on the Church of England; but it is well known that they gave no satisfaction to the Church of Scotland, and that their authority was never recognized by any ecclesiastical body in this kingdom.

Geneva, Amsterdam, and other places.* More than ten of the London editions are in folio, and the others are in smaller sizes; whereas, of the Bishops Bible, very few were ever printed on a small page. The reason of this, Mr. Lewis supposes, was, that this Bible was principally designed for the use of churches; and that the Geneva translation was commonly used in families. It is certain, however, that both were used in churches.

King James's translation, as it is generally called, was first published in a large folio volume, black letter, in the year 1611. In the course of that year, and the five following years, his Majesty's printers published six editions of the *Geneva Bible*, and three of the Geneva New Testament. It is not generally understood that above two editions (both of a small size) of any part of the Bishops Bible were printed after the year 1611, and these contained only the New Testament. The reprints of Fulke's Confutation of the Rhemish New Testament contained also the Bishops translation in parallel columns with the Popish version.

* If we include the editions of the Geneva New Testament, and that which bears the name of L. Tomson, the number of London editions exceeds fifty. Dr. Newcome says that it was mostly used in private families, on account of the notes. Mr. Lewis had seen only one edition of the Bishops Bible in 8vo. but there were several others even smaller.

No edition of any of the older translations which had been formerly printed, or of any considerable part of them, continued to be published in England, with the exception of the Psalms, Gospels, and Epistles in the Book of Common Prayer, all of which, till the reign of Charles II. remained unchanged from the time of the first compilation of the liturgy. After the restoration of Charles II. the Gospels and Epistles were inserted according to the last translation; but the Psalter was retained in its original form, having been preferred by the Bishops and Clergy to all the other versions. This Psalter, used to this day in the Church of England, is adopted from that translation of Tyndale and Coverdale, which was declared by act of Parliament, in 1542, to be crafty, false, and untrue, and therefore ordered to be forthwith abolished. (The Gospels and Epistles read in the churches till the year 1662 were exclusively Tyndale's.) This fact was thought so remarkable by the author of the preface to Poole's Annotations, as to have drawn forth the following observations:—"To this day the Psalms in our service book are according to Tindall's and Coverdale's Bibles, which should make us wary in our censures of that translation, though we see reason in many things to dissent from it. Only we having a more correct translation established by au-

thority, why, (for the avoiding of the offence of the less knowing people,) we have not made use of that, but retained a translation not undertaken by any public authority, and confessed to be more imperfect, is what I cannot, nor count myself obliged, to account for. Possibly God, for the honour of his martyr, hath so ordered it."

This translation of the Psalms was made, not from the Hebrew, but from the Septuagint, which differs materially in various passages, sometimes containing several verses more than are to be found in the original.

Thomas Findlasone, who was King's Printer for Scotland about twenty years, from 1612 to 1632, never printed any edition of the Scriptures, though authorized to print them in all languages. There was a reservation, however, in the gift, by which he was prevented from obtaining penalties from such as printed or imported Bibles, New Testaments, and Psalm Books. Psalm Books were often printed by Andrew Hart and his heirs. The heirs of Andrew Hart also printed an edition of the New Testament in 1628; being the first instance (so far as we know) in which King James's translation was published in Scotland.* And it is

* This edition has a calendar prefixed, containing a much smaller number of holidays than were inserted in that of the Church of England. The Table of Moveable Feasts includes only *Whitsunday,*

quite clear, that, during the twenty years of Findlasone's gift, the subjects of this kingdom must have been supplied with Bibles chiefly from England. It may be somewhat doubtful whether they were supplied more frequently with the Geneva translation or King James's; but it is certain that in Findlasone's time no edition of either was printed in Scotland.

Robert Young is said to have become King's Printer, 12th April, 1632; and, from the year 1641, he and Evan Tyler held the office jointly. Several peculiarities in the terms of this latter patent seem to have been overlooked. The patentees were to have the liberty of exporting and selling, in any part of the King's dominions, not only Psalms in every size of volume *for the Church of England*, but various other books, and particularly Bibles in all volumes, which they or their assignees had the sole privilege of printing; and they were likewise to enjoy the *common benefit* of printing the Psalms then in use for the Church of Scotland, with Testaments and other books for the use of that kingdom, in the same manner as other

Easter-day, and the beginning of *Lentron*. In this respect it corresponds with the edition printed at *Dort*, for Andrew Hart and the Heirs of H. Charteris, in 1601,—with this difference only, that the first day of Lent is called in that edition *Fasting-even*. Both editions omit *Advent Sunday, Ascension-day, Rogation-day, Septuagesima Sunday*, &c.

printers there enjoyed that benefit. The prohibitory clause forbids all other persons to print, or cause to be printed, any of the *Psalms then in use in the Church of England*, Concordances, Accidences, Calendars, Primers, Psalters, books of Common Law, used in the kingdom of England, or the Bible in any volume; or to import, or cause to be imported, any of these books from France, Holland, or any part beyond seas. There is a *proviso* also at the end of the commission, that nothing contained in it shall be construed to the prejudice or hindrance of any other printer within the kingdom of Scotland, to print the Bible in folio, or other books printed in the said kingdom at any time before the date of the first gift in favour of Robert Young.

Here it appears, that the King's Printers, in 1641, though they obtained an exclusive privilege to print the Psalms for the use of the Church of England, and a right to export them,* did not obtain an exclusive privilege to print the Psalms used in the Church of Scotland, with New Testaments, and other books for the use of that kingdom; and that, before the date of the first patent to Young, in 1632, the right of printing the Bible in

* This, by the way, is a sure proof that the government saw no danger in allowing the books used in one national church to be printed in another kingdom.

folio at least was not confined to the King's Printer. The fact is, that, before that time, it had never been printed in Scotland except in folio, and that in two instances; the first edition having been of the Geneva translation entirely, and the second, of that translation in the Old Testament, and of Tomson's in the New. The Psalms for the Church of Scotland had been printed by various printers, and in a great variety of sizes, for the convenience of binding with the English printed Bibles. Thus, there is an edition of the Psalms by Andrew Hart in 4to. printed in 1615, often found in the London Bibles of that year or 1613. Several editions were printed by Hart in octavo; for instance, one in 1611, another in 1615, both generally bound with the Book of Common Order. There is one by his heirs in 1632, another in 1633, a third in 1634, and a fourth in 1635, all after Young is said to have received his first patent. In 1633 two editions of these Psalms were printed by Raban at Aberdeen; one of them often bound with English Bibles of that period; and another connected with the Book of Common Order, containing the original Confession of Faith of the Church of Scotland. In 1640, James Bryson, at Edinburgh, published the Psalms in quarto, besides a pocket edition in prose and metre. The prose is of the Geneva translation. And it may be ob-

served, that all the editions of the Psalms, printed for the use of the Church of Scotland before this period, (with the exception of King James's,) were in general taken from the version by Thomas Sternhold and other English authors;—not above one-tenth of the number having been versified by divines of the Church of Scotland.*

* These psalms were introduced into Scotland soon after the Reformation; and it is probable, that the copies first used were imported either from Geneva or from London. In 1561, an edition of the Scots Confession of Faith was printed by John Scot, and another by Lekprevik; the one in quarto, and the other in small 8vo. In the same year, it was printed at London by Rouland Hall, in Goldynge Lane; but this edition is without Psalms, and it is mentioned only as affording a presumption, that the standard books of the Church of Scotland were frequently obtained from London. In 1564, it is said by Collier, (whose authority, in this instance, is supported by some papers among the Wodrow MSS.) that the General Assembly required every minister, exhorter, or reader, to have one of the Psalm Books lately printed at Edinburgh. The Church had advanced different sums of money to Lekprevik, to enable him to execute this work; which included the forms of public prayers, marriage, and administration of the sacraments. Among the numerous successive editions, from the year 1564 to 1640, the writer of this paper does not remember to have seen so much as one printed by his Majesty's Printers. In the same manner, out of fifty or sixty of the early English editions of Sternhold and Hopkins, not more than two or three appear to have been printed at the royal press. In the year 1615, the Stationers' Company had letters patent granted them by James I. conferring on them the sole right of printing Primers, Psalters, and Psalms, both in metre and prose, with or without musical notes.

How this version was first introduced into the English Church is not clearly ascertained. Mr. Samuel Butler, (no great authority for a historical fact,) says of his "Assembly Man," He tore the *Liturgy;* yet he has mercy on *Hopkins* and *Sternhold,* because their *metres* are sung without authority, (no statute, canon, or injunction at all;)

It is also worthy of remark, that, till about the year 1640, the Geneva translation of the Scriptures appears to have been at least as much used in Scotland as the translation executed under the autho-

only, like himself, "first crept into private houses, and then into churches." It is a mistake to say, that the Assembly of Divines had a partiality for Sternhold. They recommended the introduction of Rouse's version; but they did not treat the old translation so disrespectfully as the Episcopalians did. Dr. John Edwards, (in his *Preacher*, part 3d. p. 26,) says, "When Queen Mary was succeeded by Queen Elizabeth, these psalms were generally permitted to be sung before and after morning and evening prayer, and before and after sermons in all churches; and they continued in good repute till about the middle of King Charles the First's reign; at which time they began to be much disliked, and after that more and more to be slighted and disregarded, especially by our highest churchmen; who were offended at their being sung in churches, because they thought they might in time exclude the *singing of the reading psalms*, which was practised in *Cathedrals*."

About the same time, an attempt was made to supersede the metrical psalms, which had been used nearly seventy years in the Church of Scotland, by substituting the translation ascribed to King James. The privilege of printing this collection for thirty-one years was conferred, in 1627, on Sir William Alexander, (Earl of Stirling,) who was, in fact, the principal author of the work; and about the year 1630, the national church was thrown into the greatest agitation, on learning that the new paraphrase was to be imposed. Many remonstrances were framed, containing reasons why the psalms of David in metre, allowed by the General Assembly, should be sung in the kirks, as they had been since the year 1564. One of these reasons furnishes us with a calculation of the number of copies supposed to be required. "The country shall be burdened with the loss of 300,000 books of the old, and with the cost of 600,000 of this new metre, during the privilege which we hear is to be granted to the chief author." As this privilege was to endure thirty-one years, the demand must have been computed at 20,000 copies every year. An edition of these psalms in folio was printed at London in 1636, by Thomas Harper. It is generally bound with the Scotish Service Book.

Whether or not there had ever been any injunction for singing the *metres* of *Sternhold* and *Hopkins* in England, it is certain that they

rity of King James, and first printed in 1611. If we look at the works of Scottish divines published from the time when that translation was first in-

were allowed to be sung, and that no public authority was ever interposed for suppressing them, or even for preferring any other version.

In the year 1696, Dr. Nicholas Brady, Chaplain in Ordinary, and Nahum Tate, Poet Laureat to King William, represented to the Privy Council, that they had completed *a new version of the Psalms of David in Metre, fitted for public use,* and humbly prayed his Majesty's royal allowance, that the said version might be used in such congregations as shall think fit to receive it. His Majesty was pleased to order in council, that the said new version be allowed and permitted to be used in all such churches, chapels, and congregations, *as shall think fit to receive the same.* About two years afterwards the Bishop of London recommended the use of it to all his brethren within his diocese. This version, as well as that of Sternhold and Hopkins, which about this time underwent considerable alterations, continued to be printed generally for the Company of Stationers; and, in many churches, both are occasionally used. Dr. John Patrick's version had been published twenty years before; and when the altered Sternhold first appeared in 1694, it was said, in the Preface, that a report prevailed, "that there would be very speedily an act of parliament for annexing Bishop Patrick's version of the Psalms to the Bible." No such act was ever passed. Selections of Psalms have been published at different periods, and by various printers, for the use of particular parishes and chapels. Translations of the Psalms and other poetical books of Scripture, have been frequently published, and have been used in worship by various classes of Dissenters, and the authors or compilers have employed whatever printers they chose.

While these things are so in England, we cannot but think it hard, (though it is not the affair in which we are principally interested,) that after his Majesty's Scottish subjects of all denominations, whether of the established church or not, had enjoyed for a hundred and fifty years the liberty of providing themselves with Psalm Books, printed by any printer in Britain, the gentlemen who now hold the patent as his Majesty's printers in Scotland, should have been the first to arrogate the exclusive right of publishing

troduced, till the rise of the Covenanters, we perceive, that even those of them who were most disposed to conform implicitly to the will of the king, and to adopt, if he thought fit, the ritual of the Church of England, generally quote the Scriptures from the Geneva version. Thus Dr. William Guild, chaplain to Charles I. who published many works at London and at Aberdeen, from the year 1615 till the time of the Commonwealth, uses that version, at least in his earlier works. It appears to be uniformly quoted by Sir James Sempill of Beltries, in a work printed at London in 1619, and dedicated to King James, entitled "Sacrilege Sacredly Handled, that is according to Scripture only; for the use of all churches in general, but more especially for those of North-Britaine." William Cowper, bishop of Galloway, whose "Dikaiologie" was printed at London in 1614, and his "Triumph of a Christian" in 1615, and whose collected works were printed there in 1629, continued to the last to use the Geneva version in his quotations, and in the texts of his sermons. In the sermon, entitled, "Spiritual Marriage," preached at Westminster,

the collection which is almost universally used in this part of the United Kingdom, where the King's allowance is not required for the use of any version. No doubt the Psalms were often very ill printed by printers who had no patent: but we can point out impressions, as bad as possible, the discredit of which must be borne by some of his Majesty's printers.

1626, by James Baillie, A. M. and printed at London, 1627, dedicated to nine peers and seven other courtiers, all of the Scottish nation; the author quotes Scripture from the Geneva version in every page, as in Rom. xi. 25, "Partly *obstinacy* is come to Israel." Rom. xi. 22, "If thou continue in his *bountifulness*." Heb. xii. 33, "The *congregation* of the first born." In the same manner, Mr. William Struthers, minister of Edinburgh, who is always characterized by Calderwood as a servile follower of the court, quotes the Scriptures from the same translation in his "Christian Observations," and in "his Resolution for Death," both printed at Edinburgh in 1628. Thus, Phil. i. 21, "Christ is to me, both in death and in life advantage." 1 John iii. 14, "*Translated* from death to life."* We find the Geneva translation also used in Boyd's "Last Battle of the Soul," printed at Edinburgh in 1629. It is generally followed in the "Exposition of the Lord's Prayer, by Mr. William Wischart, parson of Restalrig, printed at London, 1633;" and when this writer adopts another version, it seems generally to be one of his own.† John Abernethy,

* In his Looking Glass for Princes and People, printed at Edinburgh, 1632, Struthers uses King James's version, of which there had at that time been no edition in Scotland.

† In 1633, Dr. Walter Balcanquall, Dean of Rochester, (a great favourite of James VI. and of Charles I.) who had been sent, when a very young man, to represent the Church of Scotland in the Synod of Dort,

bishop of Caithness, in his treatise entitled "*Physicke for the Soule*," printed at London, 1630, a quarto volume, abounding in quotations from Scripture, appears always to have used the Geneva version, as Jer. vi. 14, "They have healed also the hurt of the daughter of my people *with sweet words*." Phil. ii. 12, "*Make an end of* your own salvation with fear and trembling." Eccles. vii. 5, "*Anger* is better than laughter." * And so late as

anno 1618, published by the special command of his Majesty Charles I. a sermon, preached before the king in December 1632, entitled, "The Honour of Christian Churches; and the Necessitie of frequenting of Divine Service, and Publike Prayers in them." In this sermon he generally quotes the Scripture from the Geneva version, as Eccles. iv. 17, "Take heed to thy foot when thou enterest," &c. instead of Eccles. v. 1, "Keep thy foot when thou goest," &c. as in King James's translation. In the Bishops Bible, the translation is, Eccles. iv. 17, "When thou comest into the house of God, keep thy foot," &c. Balcanquall was so young when King James's translation was made, that he could not have been long familiar with any previous version. His contemporary, "the ever-memorable John Hales of Eaton," who was under twenty when King James's translation was undertaken, manifests no preference for it. Lord Hailes says of him, that he "sometimes follows the old version, and sometimes quotes from memory." Dr. Robert Skinner, who was born only twelve years before the accession of James to the throne of England, and who became Bishop of Bristol, then of Oxford, and last of Worcester, was for some time chaplain to Charles I. and published two sermons, one of which, preached before the king in 1634, and published by his Majesty's command, contains many quotations, almost all of which may be referred to the Bishops, or the Geneva Bible, but scarcely any to the version of King James's translators; which, it is evident, from the numeration of the chapters and verses, that he was not in the habit of using.

* The tract entitled, "A Blowe for the Popes, touching the Pope's Prerogatives," printed at Edinburgh by John Wreittounc, 1631,

the year 1639, the celebrated Alexander Henderson, in preaching before the General Assembly at Edinburgh, reads a long text from the Geneva Bible, as appears from the proceedings of that Assembly, still extant in manuscript. It has been already mentioned that the Psalms in prose, printed by Bryson in 1640, are according to that version. *

might be referred to as an evidence of the same preference of the Geneva Bible; but as this little work is represented as being "extracted word for word out of the Booke of Martyres," it cannot very fairly be considered as an authority in this matter.

* King James's translation was as much opposed in England as in Scotland. The translators themselves have taken notice of the clamour raised both by the Romanists and the Puritans. There is not much reason to believe, however, that the Puritans made any great complaint, except in the apprehension of being deprived of the Geneva annotations, which, as Fuller says, "had been printed with the general liking of the people, above thirty times over. Yea, (adds this writer,) some complained that they could not see into the sense of the scripture, for lack of the spectacles of those Geneva annotations."

The total suppression of the Geneva Bible was not attempted for several years; and when it was at last effected, it was ascribed in a great measure to the rising influence of Laud. His antipathy to this version was very early manifested, while he was president of St. John's College, Oxford. And it was afterwards one of the charges against him, that "one of the first books most strictly prohibited to be printed, imported, or sold, by this archbishop, was the English Geneva Bible, with marginal notes and prefaces, though printed here in England, not only without the least restraint, but *Cum privilegio regiæ Majestatis* during all Queen Elizabeth and King James their reigns, by the Queen's and King's printers; and since our printers have neglected to print them for fear of hindering the sale of the last translation without notes, they have been sold without any contradiction till this archbishop began to domineer; yet, no sooner was he advanced to his papal see, but the printing, importing, and sale of all these Bibles, with notes, was most strictly inhibited; the Bibles

It is quite certain, that during the period now referred to, the people of Scotland could not have enjoyed the advantage of reading the Scriptures according to the version now in use, in any other way than by importing them, and that they could not in general have had even the Geneva Bible in

searched for, seized, confiscated; the importers and sellers of them imprisoned, vexed, and some of them ruined, in the High Commission Court." It is asserted farther, that these Bibles, " formerly printed *cum privilegio*, had been freely vended, read, approved, and used, in our Church, for above sixty years space together." The account given of this matter by Dr. Heylin, the biographer of Laud, does not altogether agree with Laud's own defence, as preserved in the History of his Troubles and Trials. But the latter, in particular, is worthy of transcription; and is here subjoined accordingly.

One of the charges against him was concerning stopping of books from the press.

The first instance was about the English Bibles with the Geneva notes: " The Bibles with these notes, (says Laud,) were tolerated indeed both in Queen Elizabeth and King James his time, but allowed by authority in neither. And King James said plainly *that he thought the Geneva translation was the worst, &c.* (Confer. at Hampton Court, p. 47.) This passage I then read to the Lords; and withal told them, that now of late these notes were more commonly used to ill purposes than formerly, and that that was the cause why the High Commission was more careful and strict against them than before. Here Michael Sparkes the Elder came in as a witness, and said, he was called into the High Commission about these books. But he confesses, it was not only for them. He says, *the restraint of those Bibles was for the notes.* But he adds, *as he supposes;* and his supposal is no proof. Besides, he might have added here also, that the restraint was not for the notes only; for, by the numerous coming over of Bibles, both with and without notes, from Amsterdam, there was a great and a just fear conceived, that, by little and little, printing would quite be carried out of the kingdom; for the books that came thence were *better print, better bound, better paper, and for all the charges of bringing,* sold *better cheap.* And would any man buy a worse Bible dearer that might have a better more cheap? And to preserve printing here at home, as well as the notes, was the cause

any other way. By this time, schools were generally established in every corner of the kingdom. * Before the restoration of Charles II. we

of stricter looking to those Bibles."—*Trials and Troubles of Laud*, p. 349, 350.

To this it was replied by the Commons, "that the English Bible with the Geneva notes, was not only tolerated, but printed and reprinted among us in England, *cum privilegio*, during Queen Elizabeth and King James's reigns; and in 15th Jacobi (1618,) there was an impression of them printed here by the king's own printer; since which time the new translation, without notes, being most vendible, (the king's printers forbearing to print them for their private lucre, not by virtue of any public restraint,) they were usually imported from beyond the seas, and publicly sold without any inhibition or punishment, till this archbishop's time, who made it no less than an *High Commission crime*, to vend, bind, or import them. His own inserting of popish pictures into our English, and of a popish index into our Latin Bibles, was far worse, more dangerous than any Geneva notes. And his endeavour to hinder the importation of Bibles from Holland, discovers his vigilance, yea spite, against this translation, and the notes upon it."—*Canterburies Doom*, p. 515, 516, &c.

* The registers of all the ecclesiastical courts, particularly those of the Presbyteries and Kirk-Sessions, prove what anxious attention was bestowed on the education of all ranks by the church of Scotland after the revival of presbyterian church-government in 1638. Some of the leaders of the Covenanters had distinguished themselves by their zeal and activity in providing the means of instruction. Mr. Alexander Henderson, about the year 1630, endowed a school in the parish of Leuchars, where he was then minister, and another in his native parish of Creich. Both endowments were liberal; and others were afterwards made by ministers of this national church, on a scale not much smaller. Thus, Mr. Gabriel Semple, minister of Kirkpatrick-Durham, *mortified* 2000 merks, for maintenance of a schoolmaster in that parish. Measures were taken by the Kirk-Sessions to furnish education to the poor *upon the common expenses*,—and in cases of youths of promising ability and remarkable diligence, it was not uncommon to pay from the parochial funds, an additional sum to prepare them for the university. The ornamental parts of education were not neglected. The General Assembly, in 1645, enacted, "that for the remedy of the great decay of poesie, and of ability to

are told by Kirkton, "every village had a school, every *family almost had a Bible.* Yea, in most of the country, all the children of age could read the

make verse, and in respect of the common ignorance of prosody, no Schoolmaster be admitted to teach a grammar-school in *burghs,* or *other considerable parishes,* but such as after examination, shall be found skilful in the Latin tongue, not only for prose, but also for verse." Books were sometimes provided by the Session for those who could not buy them. Thus we find in the Register of the parish of Ormiston, "*Schrevelii Lexicon,* for the school, 4 lib. 16 sh." Scots; (i. e. 8s. Sterling.) "Broune's *Rhetorick,* 10 s." Scots; (i. e. 10d.) So great was the encouragement for teaching schools in considerable parishes, that various instances occurred of professors in the universities accepting those laborious situations. It was not merely in the low countries that education was vigilantly promoted. The Highlands (of Perthshire at least) partook of the same benefit. In 1654, John Hepburne, who had been previously schoolmaster of Kenmore, was appointed to teach the children of Logierait, and was allowed 80 merks a-year of salary. The English language seems at that time to have been well understood in that part of the country. About this period, or soon afterwards, James Stewart was schoolmaster of Moulin. He was succeeded in 1683 by Duncan Menzies, (afterwards minister at Weems,) at whose school were educated Lord George Murray, (son of the Marquis of Athole,) Mr. Adam Ferguson, (father of the late Professor Ferguson of Edinburgh,) and several other eminent individuals. A century before the period of which we are now speaking, reading and writing were evidently not very rare accomplishments in Argyleshire. John Carsewell, Bishop of the Isles, in his Gaelic version of the Book of Common Order, printed by Lekprevik in 1567, has lamented the misapplication of the gifts of writing and teaching, and says, that much of the superstition which prevailed, arose from the want of *good books,* understood by all who spoke the Gaelic tongue; but he does not allege that reading and writing were very uncommon acquirements. (See *Scottish Descriptive Poems,* edited by Dr. Leyden, Edinburgh, 1803.) For farther information with regard to the state of education in Scotland about the end of the 16th and beginning of the 17th centuries, see Dr. M'Crie's Life of Melville, vol. ii. Notes. It would not be difficult to make additions to the interesting particulars there recorded.

Scriptures, and were provided of Bibles, either by the parents or their ministers." Now, whence did the supply of Bibles come? It could not be from the King's printing press in Edinburgh; for the editions which issued from it were very few in number.

The first edition of any part of the Scriptures (according to the last version) which was published in Scotland by any of the King's printers, was the New Testament, printed at Edinburgh in 1633. There were two editions of it, both of a small size; the one "printed by Robert Young, printer to the King's most excellent Majesty for the kingdom of Scotland,"—the other printed by the "Printers to the King's most excellent Majestie." The impression of the latter (which is sometimes accompanied by the Old Testament) is said to have been extremely limited; and some of the copies have plates. There can be little doubt that this is the edition referred to in a very remarkable letter contained in the Wodrow Collection of Manuscripts in the Advocates Library, which has been printed by Lord Hailes in his Memorials and Letters, vol. ii. p. 42. "That you may taste a little of our condition (says the writer) I have sent you two of your own Scots Bibles, the New Testament only, wherein they have placed such abominable pictures, that horrible impiety stares throuhg them. These come forth by public

authority. Do you shew them to such as you think meet."*

* These *pictures* are said to have been impressions from the plates of the book entitled, *Imagines Vitæ, Passionis et Mortis D. N. Jesu Christi*, &c. printed by Boetius a Bolswert, anno 1623. It is asserted in one of the charges against Laud, that he had brought these popish pictures from foreign parts, and that with his good liking they were bound up in English Bibles, which were called *the Archbishop of Canterbury's Bibles*. The number of plates in the original book is said to be seventy-four, most of them finely executed. The Edinburgh Bible of 1633, in which they have in some instances been inserted, is printed in double columns, and bears a great resemblance to some London editions of the same period. With regard to Young's New Testament of the same year, the types, paper, and ink, have never been surpassed by any subsequent edition. But in none of these respects is it superior, and in execution it is by no means equal, to the productions of several contemporary presses in Scotland, as those of Thomas Findlasone, John Wreitton, and Andrew Hart's heirs at Edinburgh, and Edward Raban at Aberdeen,—the last of whom was employed to print the "Canons and Constitutions Ecclesiastical, for Government of the Church of Scotland, ratified and approved by his Majesty's royal warrant, and published by authority," in 1636. Robert Young was a printer in London, where he continued to carry on business long after his appointment as his Majesty's printer for Scotland. He was much in the confidence of Archbishop Laud, who seems occasionally to have consulted him, and who had frequent communications with him on the subject of the Scottish liturgy. It appears from the Archbishop's letters, that Young resided in London, whence he transmitted types and instructions to his servants in Edinburgh. The King's Large Declaration concerning the Tumults in Scotland was printed at London, by Robert Young, his Majesty's printer for Scotland, in 1639,—at which time many of the tracts professing to be printed at Edinburgh, bear the same name and designation.

Robert Young's New Testament, in 1633, has not the king's arms on the title. This badge of authority adorns the titles of several books printed in the same year, at *Edinburgh, by the Printers to the King's most excellent Majesty*, e. g. "the Funeral Sermon preached

Robert Young is less known by any of his editions of the Scriptures than by the Scotish Service Book, printed in 1637. The Earl of Stirling, Secretary of State, writing to the Bishop of Ross concerning the Book of Canons, says, "I find some errors in the printer, and therefore have the more care in looking to that in printing of the Service Book; for Young, the printer, is the greatest knave that ever I dealt with; and therefore trust nothing to him nor his servants, but what of necessity you must." *

at the burial of the Lady Jane Maitland, by Mr. I. M." Who these printers were is not certain—most probably the heirs of Thomas Findlasone, though the devices and types are unlike his as well as Young's.

* About this time the English press was not much celebrated for its accuracy. In his speech in the Star-Chamber, 14th June, 1637, at the censure of Bastwick, Burton, and Prynne, Laud blames the printers for an unauthorised change in part of the Common Prayer, and speaks of it as nothing wonderful *in such a negligent press as we have in England.* If we can credit Dr. Heylin, the archbishop had taken an active part in punishing a most serious blunder in the printing of the Bible. "His Majesty's printers, at or about this time, (1632,) had committed a scandalous mistake in our English Bible, by leaving out the word *not* in the seventh commandment. His Majesty being made acquainted with it by the Bishop of London, (Laud) order was given for calling the printers into the High Commission, where, upon evidence of the fact, the whole impression was called in, and the printers deeply fined, as they justly merited. With some part of this fine, Laud causeth a fair Greek character to be provided for publishing such manuscripts as time and industry should make ready for the public view; of which sort were the *Catena* and *Theophylact* set out by Lyndsell."

In 1638, a handsome edition of the Bible in folio was printed at Cambridge, by Buck and Daniel, containing a very material error of

Young published a very small edition of the Bible at Edinburgh in 1638, and he and Evan Tyler

the press, by substituting YE for WE *may appoint over this business,* in Acts vi. 3. This error has sometimes been imputed to the Independents, and sometimes to the Presbyterians, by those who did not know that it first appeared in an edition, over which neither of these parties could exercise any control. The error was copied into nine editions, enumerated by Lewis, and probably into many more; as the writer of this note observes it in three editions unnoticed by Lewis, all printed at London, one in 1660, another in 1671, and a third in 1682. It was admitted into some Edinburgh editions by Anderson, in 1673 and 1675; and hence probably arose the charge against the Presbyterians of Scotland, by the Rev. Thomas Gipps, rector of Bury, that they corrupted the word of God, with design to support the people's power in setting up ministers over themselves; a charge which occasioned the Act of the General Assembly, 15th January, 1698, disclaiming the above-mentioned error of the press, and declaring that they do not own any other reading of that text, but "*whom we may appoint,*" &c. Mr. Gipps might have known, that in the years 1673 and 1675, the Presbyterians had not the power to get a single page printed in Scotland, much less to interfere with any of the books printed by the royal authority. And even after the Revolution, they were constantly making unavailing complaints of the inaccuracy of the copies of the Scriptures.

We have seen in a former note, that Archbishop Laud admitted that the Dutch printed Bibles had been prohibited, *chiefly on account of their superior excellence.* A few years afterwards, the importation of some foreign Bibles was prevented for a better reason. It appears from the Journals of the House of Commons, for 1644, (May 3,) that some members of the Assembly of Divines acquainted the House, that there were divers gross corruptions, besides errors in divers Bibles, of an *impression* from beyond the seas, which they desired might be suppressed. It was ordered that it be referred to the Committee for printing, to take some course for the seizing and suppressing of all those Bibles, of the impressions from beyond the seas, complained of by the Assembly of Divines, in which there are so many, not only gross errors, but foul and dangerous corruptions, and likewise that they do consider of some effectual course to prevent the importation of such Bibles, or the dispersing, vent, or sale of them, &c. The result of the de-

published a handsome octavo New Testament in 1642. About this time Young's name disappears

liberations on this subject was, not that importation should be expressly prohibited, but that it should be subject to regulations. On the 20th of August, 1645, it was resolved that no foreign impressions of any English Bibles, imported from beyond seas, shall be put to sale in any parts of this kingdom, until they have been viewed, perused, and allowed by the Assembly of Divines, or such as they shall appoint; and it was referred to Mr. Selden and Mr. Maynard to bring in an ordinance to this purpose. It soon appeared, however, that the editions printed at home required to be as strictly watched as those which had sometimes been imported from the Continent. In November 1656, the Grand Committee for Religion made a report touching the false printing of the Bibles. Part of it is here extracted.

"Among other late impressions of the Bible, yet under examination, this Committee have particularly examined the impression in 24to. printed in the year 1653, which is acknowledged by Mr. John Field, printer, to be by him printed, and that he printed to the number of about 2000 of them. That in the said Bible there are already discovered these omissions and misprintings, viz. 1 Cor. vi. 9, "Know ye not that the unrighteous shall inherit the kingdom of God?" (*not* omitted.) John ix. 21, these words are wholly left out, "or who hath opened his eyes we know not." Rom. vi. 13, "Neither yield ye your members instruments of righteousness," for *unrighteousness* —besides several other errata. Mr. Field hath alleged something in extenuation. The Committee have secured 7,900 of the said imprinted Bibles in Mr. Field's hands till farther orders. We understand that there are yet in the hands of several booksellers many of the said Bibles undispersed. The Committee have under examination other Bibles, which are discovered very faulty; and in one Bible, 2 Cor. last chapter, the 6th verse is wholly left out. Ordered, that the 7,900 Bibles in 24to. printed in 1653, be seized on to prevent the sale." See Journals of the Commons, vols. iii. iv. vii. At this time the patent of king's printer for England was in the family of Barkers, as it had been for 100 years. Field printed both for them and for the University of Cambridge; and as it appears that Bibles were not then printed at Oxford, there was no competition, till Thomas Guy, on account of the shameful manner in which the Scriptures were printed, contracted with the University of

from the copartnery. In 1642, Evan Tyler printed a neat pocket Bible in parts, and in 1643 an octavo

Oxford for their privilege of printing them, after he had been disappointed in the execution of a project for printing them in Holland. After this period, Field's Bibles were incomparably better executed than they had been before; and Guy's, though by no means very elegant, were far from contemptible.

Some complaints against the king's printers may be found in a tract, entitled, "The London Printer his Lamentation, or the Press Oppressed or Overpressed," dated September 1660. The author inveighs bitterly against Christopher Barker, John Bill, Thomas Newcomb, John Field, and Henry Hills, as interlopers, and, under the King's patent, instruments of inflaming the people against the King and his friends. He says that Bill and Barker the patentees "had no skill or experience in the faculty or art of printing, and albeit they entitled themselves (by a very questionable and doubtful authority, both in law and equity) to be his Majesty's printers; yet indeed they were but nominal and titular; for that the manual work, as well of the late acts of parliament, as of his Majesty's proclamations, hath been actually performed by Newcomb, Field, and Hills," all of whom he characterizes as incendiaries and enemies against the King, and one of whom he represents as utterly scandalous both for his heresy in religion and the gross immorality of his life.—He says that "their impieties and insolences have mounted as high as to become actual and professed traitors against the glorious crown and dignity of the King of kings, blessed for ever. Have they not intruded, and do still intrude upon his Majesty's royal privilege, prerogative, and preeminence, and by the pusillanimous cowardice and insignificant compact of Mr. Christopher Barker and another of his name, and not without probable suspicion, by the consent and connivance of Mr. John Bill, (though he was artificially defeated in his expectation of profit,) have they not obtained, and now keep in their actual possession the MS. copy of the last translation of the venerable and learned translators in King James's time, ever since the 6th of March, 1655; and thereupon, by colour of an unlawful and forced entrance in the Stationers' Registry, printed and published ever since, for the most part, in several editions of Bibles (consisting of great numbers) such egregious blasphemies and damnable errata, as have corrupted the pure fountain, and rendered God's holy word contemptible to multi-

New Testament in black letter. His other editions are not numerous, or any way remarkable.

We have already expressed our conviction, that what is called King James's translation was not for a long period introduced into Scotland, or so much as recognized, by any ecclesiastical authority; and we have mentioned that a number of eminent divines, most of whom could not by any means be suspected of disinclination to accommodate themselves to the will of the Sovereign, even when it was at variance with the law and practice of the church, continued long to use the Geneva version in their sermons and writings. The new version appears to have been adopted by degrees, partly because many preferred it, and partly because those who did not, were unable to procure a regular supply of Geneva Bibles, after they ceased to be printed in England. The General Assembly at Aberdeen in 1616, though it ordered a new Confession of Faith to be received, and a new Catechism to be prepared, and a uniform order of Liturgy to be established, and a book of canons to be formed by the Archbishop of Glasgow, and Mr. William Struthers, minister at Edinburgh,—and though it also recommended that the reading of a chapter

tudes of the people at home; and a ludibrium to all the adversaries of our religion?" This is a small specimen of the benefits accruing to the public from the monopoly of Bibles.

should constitute part of the ordinary exercise in the houses of noblemen, gentlemen and burgesses, it does not appear to have enjoined the use of any one version of the Scriptures more than another. The still more memorable Assembly at Perth, in 1618, if it gave any direction on this subject, does not seem to have thought it worthy of being recorded or observed; and it is remarkable that its most strenuous apologist, Dr. Lyndesay, Bishop of Brechin, in what he calls the true narration of all the passages of the proceedings in that General Assembly, printed at London in 1621, has done homage to the Geneva Bible, by taking from it the motto which graces his title page, Prov. xxiv. 21, "*My son, fear thou the Lord, and the King, and meddle not with them that are* SEDITIOUS." At this time, however, and even afterwards, we observe that the new version was occasionally used by writers of both parties in the church of Scotland, and fully as much by the Presbyterian party as by their opponents. The only direct authority (so far as we can recollect) by which the use of the new version was ever prescribed, is found in the "*Canons and Constitutions Ecclesiasticall,*" published in 1636, chap. xvi. § 1; where it is said, "In every church there shall be provided at the charge of the parochin, a *Bible of the largest volume,* with the booke

of Common Prayer and Psalmes,* newlie authorized. The Bible shall be of the *translation of King James;* and if any parochin be unprovided thereof, the same shall be amended within two monthes at most after the publication of this constitution."

Now, if this constitution be law, it is a law requiring every parish in Scotland to use imported Bibles, with the exception of such as had already imported them; for we defy His Majesty's Printers to point out any edition of the *translation of King James*, of what is called a *Bible of the largest volume*, before the year 1636, or any edition larger than duodecimo. But his Majesty's Printer of that time does not seem to have felt it to be incumbent on him, or perhaps much for his interest to print Bibles of that size, though he produced, in the year 1637, a splendid edition in folio of the book of Common Prayer for the Church of Scotland. It is very certain that many parishes in Scotland were before this time provided with folio Bibles of King James's translation. Various copies are still extant, not only in the principal towns, but in several country parishes: † some

* King James's Psalms.

† It would be tedious to enumerate all the copies which have been seen by the writer of this note. There are several copies of the earliest editions at St. Andrews and Aberdeen. One copy, printed at London in 1617, now preserved in the West Church of Aberdeen, has an inscription in writing at the beginning, mentioning that it was bought

of them bearing inscriptions, from which the time when they were acquired can be exactly ascertained.

We do not however affirm, that the Book of Canons ever formed a part of the ecclesiastical law of Scotland. The Acts of Council for establishing this book were annulled by successive royal proclamations, 28th June and 9th September 1638. The General Assembly, in December 1638, rejected and condemned the book, and prohibited the use of it, as "contrary to the Confession of Faith, and repugnant to the established government, the Book of Discipline, and the acts and constitutions of our kirk." They declared that it had been devised, without warrant or direction from the General Assembly, to establish a tyrannical power in the persons of the pretended bishops over the worship of God, men's consciences, liberties, and goods, and to overthrow the whole discipline and government

at London by David Melvill in 1627. And, on the title both of the Old and New Testament, as well as at the end, it has this printed note: *Given to the Hospital of Aberdeen, be Gilbert Hervie, burgess of said burgh, May* 18, 1631. Another copy of the edition, printed at London in 1634, which has been used, from time immemorial in the Church of Alva, has the inscription, "Gifted by the Right Honourable Sir Alexander Bruce of Alva, July 20, 1636." A copy of the first edition, 1611, belonging to the church of Culross, was presented at an early period by Sir Alexander Bruce's brother. The writer possesses eight copies of this translation of an earlier date than the period now referred to, and some of them can be proved to have been at least two hundred years in Scotland.

of the general and synodal assemblies, presbyteries, and sessions.*

* It must not be inferred from any thing here stated, that the Presbyterians, at this time, had any antipathy to King James's translation. On the contrary they preferred it greatly to Tyndale's and Coverdale's, which they are supposed to have used before the Geneva version was introduced. An eminent individual of their number, in a Tract entitled, " Brevis et fidelis Narratio Motuum in regno et ecclesia Scotica, &c. Dantisci, anno 1640," (1st edition, 4to.) when contrasting the English liturgy with the Scotish service book, says, " Dein cum in Anglia retineatur translatio versionis vulgatæ Latinæ, præsertim in Psalmis, hic vero adhæretur versioni postremæ, quæ dicitur Jacobi Regis ; atque hæ sunt mutationes in melius—at in deterius frequentissimæ sunt." A similar expression occurs in the larger work of the same author, " Rerum nuper in regno Scotiæ gestarum Historia, Dantisci, 1641," p. 28. " The Dispute against the English-popish Ceremonies, obtruded upon the Church of Scotland," published in 1637, which is known to have been the production of one of the leaders of the Covenanters, speaks occasionally of " our English translators," and " our own English translation," in terms which are sufficiently respectful, and which, though they do not prove that the translation was universally adopted, may be considered as forming part of an *argumentum ad homines*, addressed to the Bishops and their adherents, with whom the author is at variance, and by whom no other translation is likely to have been acknowledged after His Majesty had signified it to be his pleasure that this should be received. In fact, the Church of England, for whose use this translation was made, by divines of great name, and all of its own communion, has received it with less deference than the Church of Scotland and the generality of dissenters, on whom it was no otherwise imposed than by the difficulty of being supplied with any other translation. We find respectable clergymen in England expressing themselves as if they were less bound to use it than the version of the Psalms in the book of Common Prayer. Thus, Dr. Brett, in his dissertation on the ancient version of the Bible, published in 1760, and reprinted in Bishop Watson's Collection of Theological Tracts, (vol. iii.) says, " In our liturgy the Psalms and Hymns are retained according to the old translation of Tindale and Coverdale, which was afterwards supervised and corrected by the Bishops

Tunstal and Heath, though there be a *very different translation* of the Psalms and Hymns taken from the Scripture in our common Bibles, translated in the reign of King James I. And here it may not be improper to observe, that *all we of the clergy give our assent and consent to this old translation, but not to the latter which is in our Bibles.* As, therefore, this translation (in the Common Prayer) is what we clergymen give our assent and consent to, and as it is also daily read in our churches, and our people are best acquainted with it, I cannot but wonder that the generality, when they choose a text out of the Psalms, take it from the translation in the Bible, and not from that in the Common Prayer." After the restoration of Charles II. a commission was appointed to review the book of Common Prayer. Among the exceptions of the Presbyterian brethren against some passages in the liturgy, the eighth is thus expressed: "In regard of the many defects which have been observed in that version of the Scriptures which is used throughout the liturgy, manifold instances whereof may be produced, as Rom. xii. *Be ye changed in your shape;* Phil. ii. 5, *Found in his apparel as a man;* Gal. iv. *Mount Sinai is Agur in Arabia, and bordereth upon the city which is now called Jerusalem;* Luke i. *This is the sixth month, which was called barren,* and many other places; we therefore desire that, instead thereof, the translation allowed of by authority may alone be used." The archbishops and bishops, with their assistants, made no answer to this exception, and two or three others connected with it; but at last, in their concessions, they said, "We are willing that all the Epistles and Gospels be used according to the last translation." To this the Presbyterians replied, "We still beseech you that all the Psalms and other Scriptures in the liturgy recited may, for the same reason, be used according to the last translation." This desire was not granted. Another concession however was, "That the Psalms be collated with the former translation, mentioned in *Rubr.* and printed according to it." This laconic and obscure response was not satisfactory to the Presbyterians, who replied, "We understand not what translation or *Rubr.* you mean." It is not very difficult to ascertain that—by the *former translation,* the *vulgate* was meant; for no others are mentioned in the rubric, except the *common Latin translation,* and that of the *great English Bible,* which is understood

1645, requires the Holy Scriptures to be read in the congregation; but does not expressly prescribe

not to have been translated from the original, but from the Vulgate or the Septuagint. Another request of the Presbyterians (which shows that they were not very partial to Sternhold, though he did translate the Psalms from the Hebrew) was, "Because singing of Psalms is a considerable part of public worship, we desire that the version set forth and allowed to be sung in churches may be amended, or that we may have leave to make use of a purer version." The only answer to this was, "Singing of Psalms in metre is no part of the Liturgy, and so no part of our commission." It appears from this answer, that the Presbyterian brethren (Richard Baxter, Edmund Calamy, and others) were not very well informed, when they spoke of the version of the Psalms set forth and *allowed* to be sung in churches; and they might be equally mistaken in speaking of the translation of the Scriptures *allowed of by authority*, which the bishops call merely *the last translation*. (See "An Account of all the Proceedings of the Commissioners of both Persuasions, appointed by his Sacred Majesty, according to Letters Patents, for the Review of the Book of Common Prayer." Lond. 1661.) After the Revolution, the same matter was submitted to the Convocation, by the Ecclesiastical Commission for reviewing the forms of worship observed in the church of England. An improved version of the reading Psalms was made by Drs. Lloyd and Kidder, and an amendment was most earnestly wished by such men as Tennison, Stillingfleet, Tillotson, and Burnet; but whether this new version, or that in King James's Bible, should be inserted in the prayer book, was wholly left to the Convocation to determine. The Convocation, however, had previously resolved, (notwithstanding the royal licence) that they would admit of no amendments. (See Birch's Life of Tillotson, Baxter's Life and Times, and Calamy's Abridgment.)

It is not possible for us to suppress our wonder at the disrespect with which King James's Bible has often been treated by eminent authors attached to the Church of England. Among other instances of unaccountable ignorance and prejudice occurring in a book which has been much praised, we may take notice of one connected with this subject. Bishop Hutchinson, in his *Historical Essay* on *witchcraft*, after ascribing to his Majesty's influence the statute *against conjuration*, &c. passed in the first parliament of King James, adds,

the use of any particular version. "All the canonical books of the Old and New Testament," it

"that the translation of our Bible being made soon after, by King James's particular desire, hath received some phrases that favour the vulgar notions more than the old translation did. At that unhappy time was brought in that gross notion of a *familiar spirit*, though the Hebrew word hath no epithet at all, and should rather have been translated into some of those words that signify a cheating ventriloquist. Some other changes were made besides that; and considering its excellence in general, I cannot but impute its disadvantage in this respect to the great reverence they had to the King's judgment, and the testimony he gave them of facts from Scotland."

Dr. Johnson, speaking of the same subject, has said that "the ready way to gain James's favour was to flatter his speculations." We could mention other respectable writers who have hazarded a similar insinuation, both with regard to the act against witchcraft and the translation of the Bible; but we content ourselves with referring to the Commentaries and Annotations of the Rev. John Hewlett, published in 1816. This author, following in the steps of Drs. Hutchinson and Johnson, alleges that the translators "introduced the terms *familiar spirit*, *witch*, and *wizard*, (which he seems to suppose have nothing corresponding to them in previous versions,) to flatter the notions of royalty." If these writers had made any inquiry at all, they would have seen that the terms witch, wizard, and witchcraft, are of rarer occurrence in King James's version than in those which it succeeded. Some of these words are found in one or other of the older versions, but not in King James's in the following passages:—Deut. xviii. 14; Isa. lvii. 3; Eccl. xxxiv. 5; Acts viii. 9, 11; Rev. ix. 21; xviii. 22; xxii. 15. "The notion of a *familiar spirit*," too, had been naturalized in England long before the accession of King James, or before he was born. The writers of the middle ages appear to have derived this language from the venerable authority of St. Augustine, (*De Civitate Dei*, lib. viii. cap. 14.) We learn from Bulæus, (*Hist. Univ. Par.* tom. iv.) that the Faculty of Theology at Paris, in 1398, condemned as erroneous the following, among many other articles relating to the same subject: "Quod per artes magicas et maleficia et invocationes nefarias quærere *familiaritates* et *amicitias* et *auxilia* dæmonum non sit idololatria." In the rare book, entitled, *Fortalitium Fidei*, printed at Nuremberg, 1494, one of the titles in the

says, " shall be publicly read in the vulgar tongue, out of the best allowed translation." From these words, it may be concluded, that at this time it was understood in the Church of Scotland that there were more allowed translations than one; and it does not appear that the church had absolutely decided which was to be considered as the best. This part of the Directory was prepared by a Scottish di-

chapter *De Bello Dæmonum*, is " *De diversitate Dæmonum*, et si possunt habere *spiritus familiares*." We observe the phrase very frequently in the old French translations of the Bible, as in *La Bible Françoise Latine*, de l'Impremérie de Jaques Bourgeois, pour Loys Coloquemin, 1568. Thus, Levit. xix. 31,—" Vous ne vous destournerez point apres les esprits familiers." Deut. xviii. 11, " Ni homme demandant conseil aux esprits familiers," &c. Words of similar import occur in the Act 33 Hen. viii. (1541,) and in Queen Elizabeth's Act, 1562; both of which assume as an incontrovertible position, that enchantments are effected by " invocations or conjurations of evil or wicked spirits." Lord Northampton's Defensative against the Poison of supposed Prophecies, published in 1583, twenty years before the accession of King James, mentions as one of the means of conveying unlawful prophecies, " Conference with damned spirits or *familiars, as commonly we call them*." That they were commonly so called, may be seen by any one who will look into the writings of Arthur Golding, Thomas Beard, George Giffard, and many others. One of the versions of the Scriptures which had been used in England forty or fifty years before King James's accession, employs the expression *familiar spirits* at least seven times; and very often the synonymous phrases, " workers with spirits, consulters with familiars, workers with familiars."—Several other complaints against the last translation may be found in " England's Reformation: a Poem, in four Cantos, by Thomas Ward." Lond. 1716. Some of these are exposed to merited contempt by Mr. Lewis, in his " History of the English Translations of the Bible;" but others cannot be altogether evaded, though the spirit in which they have been uttered cannot be too severely condemned.

vine, Mr. Thomas Young, the preceptor of John Milton; and it is known that the Westminster divines, by whom it was approved before it was submitted to the Assembly of the National Church, contemplated a plan of translating the Scriptures anew, or at least revising the translations then in use; in which important work they expected valuable assistance from another Scotsman, Dr. Patrick Young, whom at the very time they were recommending to the parliament that he might be "encouraged in the printing of the Greek Testament, much expected and desired by the learned, especially beyond seas." At the suggestion of the Assembly, the House also gave an "order for printing and publishing the Old Testament of the Septuagint translation, whereof he had in his custody a famous ancient copy, if not an original manuscript." No man in England (not even Selden) was better qualified for the task; but the manuscript was lost in the troubles of the times, and Young, the most celebrated Grecian of his age, died of a broken heart, leaving behind him only a few fragments of his labours, one of which occupies a prominent place in Bryan Walton's Polyglot, a work of which he was one of the great promoters. The plan of improving the English version of the Scriptures was not lost sight of under the Commonwealth. In 1657, the Grand Committee for Re-

ligion ordered that a sub-committee should advise with Dr. Walton, Dr. Cudworth, &c. to consider of the translations and impressions of the Bible, and to offer their opinions therein, and that the Lord Commissioner Whitelocke should take care of this business. The Committee often met at Whitelocke's house, and consulted with the most learned men in the Oriental tongues, who suggested "many excellent observations of the mistakes in the translation of the Bible in English, which yet was agreed to be the best of any translation in the world." Great pains were taken in this consultation, but it became fruitless by the dissolution of parliament.*

From this period, but not much sooner, the whole nation may be considered as having acquiesced in the translation which is now in general use. Yet others were not altogether rejected. The Geneva version was still published in Holland, and frequently imported, particularly into Scotland, where it was much used, not only in families, but, there is reason to believe, not unfrequently in the churches.†

* Whitelocke's Memorials of English affairs to the Restoration of Charles II.

† Several pulpit Bibles printed in Holland are still in use; but most of them are of King James's translation, with the Geneva notes. Till within the last forty years, a Bible of the Geneva translation, printed at London in 1583, was used in the church of Crail, as it had been nearly 200 years. It was there in the time of Archbishop Sharp,

When Young and Tyler were appointed joint printers to his Majesty for Scotland, in 1641, it is evident, from the patent which they received, that though importation of Bibles in all volumes (except folio) from France, Holland, or other parts beyond seas, was prohibited in the same manner as the importation of grammars, calendars, primers, books of the common law of England, and psalters for the Church of England, was prohibited, the restraint imposed upon the subjects of Scotland was less with regard to the Bible and the other books used in the national worship, than with regard to such books as grammars and calendars, which are not of such sacred importance as to require to be protected by a royal patent against the risk of corruption in the text. The patent to Young and Tyler therefore proves sufficiently that the privileges conveyed by it were not conferred, because it appeared that in no other way could the sacred writings be secured from error than by giving the exclusive right to print them to one or two indivi-

and long before. It is now in the possession of a physician in this city. A copy of the edition, in folio, (conform to that of Andrew Hart,) printed at Amsterdam in 1640, now in the library of the College of Edinburgh, was presented by the candidates for the degree of Master of Arts in 1641. A very neat quarto, scarcely distinguishable from those which were printed by the deputies of Christopher Barker about 1599, &c. was "imprinted at Amsterdam, for Thomas Crafoorth [Crawford?] by John Fredericksz Stam, dwelling by the South Church at the Signe of the Hope," 1633.

duals. In the preamble, indeed, it is said that Robert Young was at first appointed, because it was necessary, after the death of Finlasone, to supply a defect, in consequence of which his Majesty's service had been much neglected, and the universities and schools had sustained great injury. * But not a word is said of any inconvenience or loss which had been suffered by the church through the want of such an officer as the King's printer.

As to the usage under this grant, it is certain at least, that books of Psalms and New Testaments were at this period, and long afterwards, printed by many individuals. Evan Tyler printed a pocket Bible in 1642, and afterwards a black letter New Testament. But the largest size which he is ever known to have printed, was an octavo, in 1649. When the version of the Psalms which is still used in the Church of Scotland was introduced by authority of the General Assembly in 1649, the Commission of the Assembly appointed it to be printed and published; and the Committee of Estates also inter-

* It seems to have been intended that Young should establish presses in different parts of Scotland; probably in the university towns. His services, however, were not required in any of them. Aberdeen was sufficiently served by Raban, Glasgow by George Anderson, both of whom were furnished with Greek, Latin, and Hebrew types; and Edinburgh had a great choice of excellent printers. After the patent was granted to Young and Tyler, the business seems to have been conducted almost entirely in the name of the latter, who generally printed the papers for the church, always however by appointment of the clerk of the Assembly or the Commission.

posed their authority for its publication. Four editions of this book were printed by Evan Tyler in 1650, but it was printed the same year by Gideon Lithgow, printer to the University of Edinburgh,* and soon afterwards by several others,—such as George Swinton, Thomas Brown, James Glen, and David French. The following editions are commonly bound up with Bibles printed in England: three by Evan Tyler, a quarto and octavo, and a smaller size, Edinburgh, 1650; one by Gideon Lithgow, in quarto, Edinburgh, 1655; one by George Swinton, 1671, in 12mo. bound with small Bibles, or with the Confession of Faith; one by Andrew Anderson, in quarto, Edinburgh, 1669; and another by Andrew Anderson, also in quarto, Edinburgh, 1671.†

The number of New Testaments printed about

* Gideon Lithgow printed various neat editions of the Confession of Faith and Catechisms in 1650, 1652, and following years, with the psalms in metre. It is impossible now to determine whether his editions of 1650 or those of Tyler have the priority, or who printed the greatest number.

† Copies of these quarto Psalms can easily be produced, bound with the Geneva New Testament in 4to. printed at London by Christopher Barker, 1596; and others, with the present translation, printed at Cambridge, by J. Field, in 1666 and in 1668. The writer of this note has two copies of Evan Tyler's quarto Psalms, and three copies of Anderson's quarto Psalms, all bound in English Bibles, one of which belonged to a family in the north in the year 1671 and more than half a century afterwards, having the names of the children, and several grandchildren, inserted from that year to 1731. All the others exhibit unquestionable traces of having been early imported into Scotland.

this period by persons not having the King's patent, cannot easily be ascertained.* In the year 1669, an edition, which seems to have been generally approved, was printed in the letter called English Roman, by George Swinton and James Glen. About a year afterwards, Andrew Anderson, who had recently come from Glasgow, and had contrived to obtain the appointment of printer to the City and College of Edinburgh, thought fit to print a New Testament in black letter, as he was well entitled to do, if he had exercised the degree of care necessary for the proper execution of so serious an undertaking. How he succeeded in his task will appear from the following minute of the Privy Council:

"*Apud Edin. Feb.* 9, 1671.—The Lords of his Majesty's Privy Council having considered the great danger which may ensue to the Christian religion from incorrect copies of the books containing the Holy Scriptures, and that of late the New Testament hath been printed at Edinburgh, in a black letter, by Andro Anderson, printer, for the use of children at schools, with many gross errors and faults in the impression, do therefor prohibit and discharge all the stationers and others of this king-

* Evan Tyler printed Acts of Parliament and other public papers in 1670; but we do not know of any Bible printed by him for many years before.

dom to vent and put to sale any of the copies of that edition of the New Testament until the same be first amended, and a title-page prefixed thereto. And do ordane and command the printer thereof to receive from the stationers all the copies of the same remaining with them unsold, and before they be offered again to sale, to correct and amend the errors of the same, and to prefix a new title-page thereto, bearing that this edition is corrected and amended in the year 1671, and that under the pain of payment of one hundred pounds Sterling in case he fail herein. As also the said Lords doe prohibit and discharge any of the printers of this kingdom to publish the books of the Old and New Testament, or any part thereof, except the same be first carefully revised, and the errors and escapes in the impression, if any, be amended; certifying any who shall do in the contrare, that they shall not only forfault the benefit of the copies of that impression with their liberty and privilege of printing for the future, but shall be farther censured and punished as the Lords of Councill shall think fitting; and ordaines a macer or messenger at armes to make intimation hereof to the printers, booksellers, and other persons concerned, that none may pretend ignorance."

It might have been expected that a permanent note of ignominy would have been attached to the

name of the printer, who was first convicted of having published any part of the Scriptures (especially for the use of children at schools) " with many gross errors and faults in the impression,"—and that effectual means would have been used to prevent the repetition of a similar offence by an individual who had proved himself to be utterly unworthy of the public confidence. The government of Scotland, however, though it judged it necessary to threaten others who should offend in the same manner, appears to have thought it enough to oblige Anderson to amend this edition, and to prefix a new title-page announcing the correction of the errors. Within three months, this most negligent and bungling printer, one of the very worst who had ever been known in Scotland, insinuated himself so much into the good graces of the directors of public affairs, that, " for payment of a composition in exchequer, and other weighty reasons," * he obtained a gift under the Great Seal which was soon ratified in parliament, appointing and constituting him, his heirs and assignees, to be his majesty's *sole*, *absolute*, and *only* printer, with power to print and reprint all books, whether divinity, law, or others mentioned in his gift, whereby all others were discharged to do the same without warrant from him, his heirs, or

* Vide Acta Sec. Concil. March 14, 1701.

assignees,—and ordaining him and his foresaids to have the supervising of the presses and printing houses of the kingdom. Some of the consequences of this extraordinary appointment are described in the following terms, by a person who afterwards succeeded to the same office.

" By this gift, (says Watson) the art of printing in this kingdom got a dead stroke; for by it no printer could print any thing from a Bible to a ballad, without Mr. Anderson's license. He indeed printed the greatest part of a very good 8vo. Bible, anno 1679 [1676,] in which year he died. But nothing since that time has been tolerably well done by his widow and successors: For even their so much boasted of *Poole's Annotations* and *Flavel's Works*, are, in the eyes of workmen, but two voluminous botches. After printing of one small Bible by the widow and partners in company, they disagreed; the booksellers apprehending themselves to be wronged in this copartnery, (the general fate of copartneries,) and all of them sold off their shares of the house and gift to Mr. Anderson's widow, except George Swinton. Mrs. Anderson, considering that her gift was now entirely in her own person, (except Swinton's share,) and that it was the most extensive that ever was heard of; and having by this time got money and friends, resolved to make the privileges of the gift entire to herself; she persecuted all the printers in Scotland; Robert

Sanders (who succeeded Andrew Anderson in Glasgow about the year 1668,) was fined and imprisoned. John Reid, (who set up with Patrick Ramsay about the year 1680,) was also imprisoned, and had his doors shut up. And John Forbes in Aberdeen, (who set up about the year 1660,) was processed and put to vast charges.

" After this prosecution, Robert Sanders purchased George Swinton's share of the gift, and assumed the title of one of the Sovereign's Printers. He brought workmen and materials from Holland, and printed several books very well. In the mean time, nothing came from the royal press, (as Mrs. Anderson vainly termed it,) but the most illegible and incorrect Bibles and books that ever were printed in any one place in the world. She regarded not the honour of the nation, and never minded the duty that lay upon her as the Sovereign's servant. Prentices, instead of the best workmen, were generally employed in printing the sacred Word of God; and, in fine, nothing was studied but gaining of money, by printing Bibles at any rate, which she knew none other durst do, and that no body could want them.

" The whole nation being sensible how ill they were served, and the oppression of this monopolizer being the common discourse in most places of the kingdom, those who were formerly her friends, and

supported this unaccountable gift, began to be ashamed of her practices, and turned their back upon her.

"At last, His Royal Highness the Duke of York coming to Scotland, 1680, John Reid informs him, by petition, of the persecution and oppression he, and others of his employment, had undergone through the extensiveness of Mr. Anderson's gift. And the matter lying then before the Privy Council, His Royal Highness there declared, that it could only be the King's meaning and pleasure by that gift, that his printer should enjoy what privileges his royal predecessors were in use to grant to their printers; such as printing of Bibles, Acts of Parliament, &c. Therefore the Council allowed the printers to go on in their ordinary work, &c.

"In 1688, Mrs. Anderson, finding herself baffled by the printers, fell tooth and nail upon the booksellers; and, though she had then scarcely any Bibles that could be read, yet, under pretence of her gift, she seized a good quantity of Bibles brought from London by the Booksellers in Edinburgh. They complained of this to the Privy Council, and printed the *Errata* of one of her Bibles; and after three months close debate, the Bibles were ordered to be given back, and all printers and booksellers allowed to print Bibles. But the Clerk of Privy Council was ordered to revise

each sheet before it could be cast off; which rendered that privilege impracticable; as, indeed, it would have been, however, for want of the Sovereign's Patent, who only can grant such a privilege." (This last expression is the natural language of a man who, when he published his book, had recently obtained a patent as King's Printer.) "In 1695," (adds Watson,) "I set up, and then Mrs. Anderson, notwithstanding of the above Act of Privy Council, prevailed with the Magistrates of Edinburgh, to discharge my working for some time; and in 1701 obtained a warrant from the Privy Council, on a false representation, to shut up my workhouse. But, upon a full information, given in by me to the Lords of Privy Council, (wherein all the printers in Edinburgh concurred,) and a debate in the presence of their Lordships, she was so well exposed, that she made no attempt afterward of that kind."

Mr. Watson proceeds to state, that, though the decay of printing in Scotland proceeded chiefly from Mr. Anderson's gift, there was no reason to dread ill consequences from the patent obtained by Mr. Freebairn and himself; which was far less extensive than Anderson's, and gave much greater liberty to all other printers. He owns that, notwithstanding the removal of Anderson's exorbitant grant, other causes operated to depress the art of

printing in Scotland below the high standard which it had attained at an earlier period—such as the low wages given for pressmen, and the paltry saving of keeping no sufficient correctors. And it cannot be denied, that this individual was at great pains to obviate these and other defects in the practice of his art. But let us now inquire how the public were supplied with Bibles while Anderson held the patent.

If we were to grant, that Anderson and his heirs furnished the whole of the Bibles used in this country, from the year 1671 to 1712, it would be easy to show, that the supply was very incomplete. And if the patent of his Majesty's Printers at present must be explained (as they seem to wish) by that of Andrew Anderson, it would be necessary to admit, that the King of Great Britain is the Head of the Church of Scotland.* The patent of

* Anderson and his widow, till the Revolution in 1688, uniformly designed themselves Printers to *His Most Sacred Majesty*. The persons who held the same office in England at that period, continued the former style, of Printers to *the King's Most Excellent Majesty*, —a style which Mrs. Anderson resumed after the Revolution It is commonly said that the abstract title of *Majesty* was first applied to the kings of England in the reign of Henry VIII. Selden maintains that it was occasionally used so long ago as in the reign of Henry II.; but he admits that the title of *Sacred Majesty* began to be used in England in the memory of his contemporaries, or that of their fathers. It was borrowed from the appellation of the Eastern Emperors, ἁγια βασίλεια. See Selden's *Titles of Honour*, 1631; and Johnston's *Account of Monarchical Government*, 1712.

Anderson gave him a right to print the Confession of Faith, and the Larger and Shorter Catechisms. The King had previously (in Nov. 1669) obtained an Act of Parliament, asserting his supremacy over all persons, and in all causes ecclesiastical; in virtue of which, the ordering and disposal of the external government and policy of the church was declared to belong to him and his successors as an inherent right of the crown; so that his Majesty might enact and emit such constitutions, acts, and orders, concerning the administration of the said government and persons employed in the same, as he should think fit. That Act, which Sir George Mackenzie represents as a renewal of the Act anent the King's Majesty's royal prerogative, (9th July, 1606,) was repealed after the Revolution, as inconsistent with presbyterian church government, along with all other acts contrary or prejudicial to, inconsistent with, or derogatory from, the protestant religion and presbyterian government. * Under

* In the *Information for his Majesty's Printers*, against Messrs. *Manners and Miller*, &c. p. 8, it is said, "the defenders are in error when they state, absolutely, that the King is not the Head of the Church in Scotland. Though in ordinary spiritual matters this may be true, yet the King is still the chief ecclesiastical magistrate in all ecclesiastical affairs. By the act 1584, c. 129, the King is declared to have supreme jurisdiction in all matters, ecclesiastical as well as civil. By the act 1584, c. 131, all Assemblies of the Church, without his express authority, are forbidden; and although this last enactment was somewhat modified by the act 1592, c. 114, and notwithstanding that occasional disputes have arisen between the

the ecclesiastical constitution, established in 1690, the Church of Scotland was restored to the model of 1638, when that government was "received by

crown's ministers and the clergy, as to the exact limits of the prerogative, still the exclusive power of furnishing the lieges with pure editions of the Sacred Scriptures, has never once been called in question by the Church of Scotland." In another paper, the same party speaks of the King as the *political head and protector of the Church*, in which capacity it is said he is empowered and enjoined to act by various acts of parliament, and the Confession of Faith. This is language to which the inhabitants of this part of the island have not for a long time been accustomed. The Church of Scotland, now established by law, never acknowledged the King as in any sense its head. In the year 1568, Thomas Bassandyne printed a book, entitled, "The fall of the Roman Kirk," in which he named our King and Sovereign, *supreme head of the primitive kirk;* and about the same time he printed a Psalm book, having an immodest song at the end; which books he had printed without license of the magistrate, or revising of the kirk. Therefore the General Assembly ordained him to call in the books that he had sold, and to keep the rest unsold till he altered the foresaid title, and deleted the song; and to abstain in all time coming from printing any thing without license of the supreme magistrate, and revising of such things as pertain to religion, by some of the kirk appointed for that purpose. In the mean time they appointed one of their number to revise the book, and to report what doctrine he found in it. A license by the government was at that time considered indispensable before any publication took place,—but the Church insisted as strenuously upon its own right of revision of every religious book as upon the authority of the magistrate; and the title of Head of the Church, as applied to the King, was utterly disclaimed. When we inquire what licenses were thought sufficient at that period, we shall find that those of the local magistrates were considered not less necessary than such as were granted by the Privy Council. Thus we observe, in the Records of the Town Council of Edinburgh, 2d June, 1570, that Nicol Fylder became cautioner for Robert Lekprevik, printer, under the pain of 100 merks, "yat ye said Robert sall not fra yis furt prent bukis ballets or ony wark of consequence wtout ye license of ye provest, bailies and counsale."

With regard to the acts 1584, they were all most offensive to the Presbyterians. The General Assembly, in 1592, thought it necessary to present various articles to the king, in the first of which they craved, that the acts of parliament made in the year 1584, against the discipline of the kirk,

the general consent of this nation." Now it is quite manifest, that the printing of the Confession of Faith, (to mention nothing else,) by any person

liberty and authority thereof, be annulled; and the present discipline, whereof the kirk hath had the practice, be ratified. The parliament, a few days afterwards, passed the act, 5th June, 1592, c. 114, entitled, Ratification of the Liberty of the True Kirk,—an act which is regarded as the civil charter of this national church. The information for his Majesty's printers represents the act 1584, c. 131, as having been *somewhat modified* by the act 1592, c. 114; and quotes the act 1584, c. 129, as if it still existed in its full force. In fact, this last act was virtually repealed, not only in the general clause of the act 1592, annulling all acts made before that date against the liberty of the true kirk, jurisdiction, and liberty thereof,—but in the express approbation of the Book of Policy, or the heads of jurisdiction and discipline, said in the act to have been agreed upon by his Majesty, in conference had by his Highness, with certain of the ministers convened to that effect. As to the other act, it is declared in the act 1592, c. 114, "that the 129 act of the parliament halden at Edinburgh, the 22d day of May, 1584, sall nowise be prejudicial nor derogate ony thing to the privilege God has given to the spiritual office-bearers in the kirk, concerning heads of religion, matters of heresy, excommunication, collation, or deprivation of ministers, or any sic like essential censures, specially grounded, and having warrand of the word of God." The act 9th July, 1606, c. 1, (the first, according to Sir George Mackenzie, that mentions the word *prerogative,*) asserts the King's supremacy, in ecclesiastic causes, in the most unqualified terms; and the act 19th Oct. 1669, c. 1, is substantially the same. This act, however, was represented, in the articles of Grievances submitted to William and Mary, 13th April, 1689, to be inconsistent with the establishment of church government then desired; and it was abrogated accordingly by parliament, 25th April, 1690. The principles of church government established in Scotland, must be sought in the Second Book of Discipline, the standard which was ratified by parliament in 1592 and 1690. Here it is declared, that the power ecclesiastical is different from the civil power, which appertains to the civil government—that it is spiritual, not having a temporal head on earth, but only Christ, the only Spiritual King and Governor of the Kirk—that the title head of the kirk, falsely usurped by Antichrist, ought not to be attributed to angel or man—"that the magistrate neither ought to preach, minister the sacraments, nor execute the censures of the kirk, *nor yet prescribe any rule how it should be done*—that all ecclesiastical assemblies have power to convene lawfully for treating of things concerning the kirk, and to appoint times and places to that effect

not nominated by the Church, would be an invasion of the rights of the Church. In 1638, the General Assembly *unanimously*, by virtue of their ecclesiastical authority, discharged and inhibited all printers within the kingdom to print any of the Acts of the Assembly, or any Confession of Faith, &c. without warrant subscribed by their Clerk. It will surely be a matter of great hardship to the people of Scotland, if a claim of the Sovereign, which was recognized only for a very short period, and which

—that the final end of all assemblies is first to keep the religion and doctrine in purity, without error and corruption—that they may abrogate and abolish all statutes and ordinances concerning ecclesiastical matters that are found noisome and unprofitable, and agree not with the time, or are abused by the people—that the National Assembly should take heed that the spiritual jurisdiction and civil be not confounded to the hurt of the kirk," &c.

All these articles, and others to the same purpose, have been conceded by the parliament of Scotland; and whatever may have been the power assumed by Charles II. or other monarchs before the Revolution, the King's prerogative in this matter has been limited for more than a century, by the Act for securing the Protestant Religion and Presbyterian Church Government, which formed a fundamental and essential condition of the union of the kingdoms, and by the Coronation Oath, which has been sworn and subscribed by every sovereign since the decease of Queen Anne; by which oath he solemnly binds himself to maintain and preserve inviolably the settlement of the true Protestant religion, with the government, worship, discipline, right and privileges of the Church of Scotland, as established by the laws made there, in prosecution of the claim of rights. One of the laws referred to in this oath, is the act for Settling the Quiet and Peace of the Church, (Will. and Mary, Parl. 1, Sept. 4, act 23,) in which it was ordained that uniformity of worship, and of the administration of the ordinances within this church, be observed by all the ministers or preachers, as the same are at present performed and allowed therein, *or shall be hereafter declared by the authority of the same.* Here unquestionably the church is declared to have the right which is claimed for the King by his Majesty's printers.

was formally and solemnly abrogated by Parliament, shall be interpreted by our courts of law as if it were still binding; and if, in a matter so sacred as the possession of the Scriptures, they shall be told, not only that the will of the King is the law, but that the will of his present Majesty must be explained by the arbitrary will, and unconstitutional usurpations, of such a monarch as Charles the Second.

The mischief and misery which must have resulted from the necessity of purchasing such copies of the Scriptures as proceeded from the incorrect press of Mrs. Anderson, would have been intolerable; but all her attempts to prevent importation, though frequently attended with hardship to individual printers and booksellers, were ultimately ineffectual.

It is quite evident, from Mrs. Anderson's own showing, that the supply yielded by her press was not sufficient to preclude the necessity of importation. In October 1676, she produced to the Privy Council, Bibles of three several volumes, (or sizes,) printed by her husband—"one in a letter called pereill letter, with notes in the volume of 12, printed in the year 1673; another, printed in the said year, in the said letter, without notes, in the volume of 18; and the third, printed in the year 1676, in a letter called the non-pereill, with

notes, in the volume of 8; of which Bibles, they have printed such a considerable number as may be able sufficiently to serve his Majestie's leidges with Bibles of *that kynd*, which is performed by his Majestie's said Printer, to their great expenses and the advantage of the kingdom, by *hindering the export of great soumes of money, which are daylie taken furth thereof for forraigne Bibles;* and have undertaken to serve the leidges sufficiently, at alse easy rates, in far better work than any forraigners can affoord."

Here it is admitted, that, till the year 1676, at which time Anderson had been King's Printer five years, and had been printing all manner of books of divinity, law, and miscellaneous literature, he had furnished no Bibles at all except two editions, both printed in the most diminutive type; (of which a specimen is subjoined in a note;*) and in the year 1676, he left unfinished a small octavo Bible, with notes, in the letter called nonpareil, commonly used in pocket Bibles at that period.† If these editions were sufficient to serve the lieges *with that kind*, it is certain at least, that no provision had been made in Scotland during the sixteen previous years of the reign of Charles the Second, or, indeed, for fifty years before its commencement, for

* *Pearl letter.*—All Scripture *is* given by inspiration of God.

† *Nonpareil letter.*—Mercy and truth are met *together*.

furnishing folio and quarto Bibles to such as wanted them. No wonder then, that great sums were daily exported for the purchase of foreign Bibles. The demand must have been very great to warrant that expression. And it must not be supposed that the traffic was contraband; it was carried on with the express permission of the Privy Council; by which Court it had been declared, (21st Dec. 1671,) "that, until the King's Printer shall have an impression of the Bible ready, it shall be *leasom to any person to import any Bibles privileged by the King's authority;* and so soon as the King's Printer shall have ane impression ready, and seen by the Council, the saids Lords declares, that then all other persons are to be discharged *to import any of that letter or size,* and so forth of any impression thereafter; and declares that the King's Printer shall not, under that pretence, import, or cause to be imported, any Bibles by himself, or by any other upon his account; but that he shall be holden to serve the country with these, of his own printing, at such reasonable rates as shall be appointed by the Lords of His Majesty's Privy Council." The Council, at the same time, authorized Robert Sanders to finish a New Testament in black letter; and, with the consent of Andrew Anderson, declared, that any printer in the kingdom had as full liberty as his Majesty's Printer to print the New

Testament and Psalm Book in the letter commonly called the English Roman;* a size, which, having been used in schools, and by persons advanced in years, was in very great request.

The decision of the Privy Council in 1676 did not absolutely take away the right of importation; —"The said Lords prohibit and discharge any person whatsoever, after the first day of November nixt, to *import, vent, or sell into this kingdom any Bibles of the aforesaid letteris or syse,* (*i. e.* nonpareil and pearl letter,) declaring hereby all *such Bibles* as shall be imported after the said day confiscable." It appears from the same act, that all books of divinity, commentaries, concordances, books of canon or civil laws, school books of all sorts, grammars, rudiments, &c. if printed or reprinted without warrant from his Majesty's printer, were equally liable to confiscation, besides such other penalties as the Council might think fit to inflict.

In 1680, the heir of Andrew Anderson complained to the Privy Council against Robert Sanders, for having printed a variety of books, as to which he and all others, except His Majesty's Printer, were excluded; and also, for "vending

* *English Roman.*—Charity suffereth long, and is kind.

Bibles printed in, and imported from, Holland, contrare to a standing proclamation." The Lords having heard the libel and answers, and also having heard the Lord Register, who represented that the printing or reprinting of the Acts of Parliament, and Acts of Convention of Estates, did properly belong to him, not only as a privilege inherent in his office of Clerk Register, but also by virtue of a special gift from His Majesty to that effect, which could not be prejudged by Anderson's gift, found, that His Majesty's Printer hath the sole privilege of supervising the press, and of printing proclamations of state, Bibles, and all other books therein specified, except those contained in the concession granted by the said deceased Andrew Anderson, (New Testaments, Psalms, and about forty other books, including the New Testament in Greek, and many of the classics.) Sanders confessed that he had printed and reprinted several books of divinity without license, contrary to his Majesty's gift, and that he had vended Bibles printed in, and imported from, Holland, contrary to a standing proclamation. "The Lords of His Majesty's Privy Council do therefore prohibit and discharge the said Robert Sanders, and all other printers within this kingdom, to reprint or print any books which the King's Printer, by his gift, has right only to print, except those contained in the foresaid concession, under

the pain of confiscation thereof, to the use and benefit of the King's Printer." The copies of all books so printed were ordered to be delivered up to the pursuer; but no other penalty was inflicted. Not a word more is said of the Dutch printed Bibles, as if any fine had been imposed, or any new prohibition thought necessary to exclude them from this kingdom. Vast numbers of them, of various editions, are still in this country, of a folio size, (which was not printed by Anderson,) and they have generally the Scotish version of the psalms, said to be printed at *Edinburgh, by Evan Tyler*, His Majesty's Printer, in 1679. But this must be a false imprint, though various editions of the Psalms bear the name of Evan Tyler, His Majesty's Printer, so late as 1698.

If it could be proved that importation from England, or even from the Continent, was at this time prohibited, it would not follow that the prohibition was legal. Many of the acts of the then Privy Council, and some of the judgments of the Lords of Session, were afterwards declared in the *claim of right* to be contrary to law. But though it had been otherwise, the inexpediency of such a prohibition is proved by the acknowledgment of the government of that period. In 1679, Sir Thomas Murray of Glendoick obtained a license to print all the acts of Parliament, by whatsoever

printer in Scotland or elsewhere he might be pleased to employ. David Lindsay was engaged to print the acts, and John Cairns bookseller to reprint them. In 1681, Lindsay printed the acts, in a splendid folio, in a style greatly superior to any thing which had ever been attempted by Anderson, his Majesty's printer.

In 1682, David Lindsay was appointed one of the King's printers;* and his patent shows that Anderson's privilege had proved dishonourable to the king and disadvantageous to the country. It appears from it that much money which might have been kept in the country, was carried away for books printed abroad;—and that, for many years, very few books of value had been printed at home, owing chiefly to the opposition of those to whom the office of king's printer in ordinary had been committed, and who seemed to think that they were entitled to the sole privilege of printing. It is farther stated to be inconsistent with justice and sound policy, that any one should monopolize the whole business of printing, and it is acknowledged that the heirs of Andrew Anderson were by no means sufficient for printing all the books necessary to the kingdom. Lindsay, therefore, whose superior qualifications had been amply manifested by his recent edition of the acts of

* See Appendix, No. XXVII.

Parliament, already mentioned, received full power to print all kinds of books in every language, art, and science, (except proclamations, acts of Parliament and Council, not to be printed without special privilege,) provided they contained nothing inconsistent with the established religion, or the government, authority, or honour of the king. (Under this description Bibles could not be excepted.) In conclusion, it was declared, that this grant was in no way to prejudge the previous gift to Anderson, in so far as it could be extended to the privileges contained in the commission of Evan Tyler deceased, which did not prohibit importation from England, (but only from France, Holland, and other places beyond seas,) and which farther allowed every printer in the realm to publish New Testaments and Psalm Books for the church of Scotland, as well as Bibles in folio.

Mrs. Anderson (as we learn from Fountainhall) opposed this grant, on the ground that one press was sufficiently able to serve all Scotland, and that, as the regulation of the press, by the 27th act of Parliament 1551, is *inter regalia*, the king may give it to whom he will. The Lords, after due deliberation, found that Anderson's gift contained exorbitant clauses, restraining the liberty of printing too much, and therefore they restricted his gift to the style, tenor, and books named in Evan

Tyler's gift. This gift is said by his Majesty's printers now in office, to have conferred on Tyler the sole privilege of printing the prerogative copies, but not books in general; and this decision is therefore said to have been an acknowledgment of the legality of the first of these powers, and a declaration that the other was illegal. This, however, does not appear to be the just construction of the limitation. Evan Tyler's patent conveyed to him, in general, all the privileges, liberties, profits, &c. which had ever been enjoyed by any former printer; but it did not give him the sole right of printing all the books which are now called prerogative copies. It gave him the sole right of printing within the realm, and exporting to any of the King's dominions, psalms for the church of England, concordances, grammars, accidences, calendars, primers, psalters, and books of common law, for the use of England, with Bibles in all volumes. Some of these are not now considered as prerogative copies. But Evan Tyler had only a *common right* of printing several books, which are now generally supposed to be prerogative copies, as the *Psalms* used by the church of Scotland, with *New Testaments* and other books for the use of that kingdom, (probably including law books.) And the restriction of Anderson's gift by the Privy Council, must have left the printing of these books as free as it was in the time of Evan Tyler.

As his Majesty's Printers have laid so much stress on Anderson's patent, under which they say there can be no doubt that the right of prohibiting the importation of English Bibles was clearly conferred; and as they have thought proper to say that a feeble attempt was made by the booksellers, to maintain that the right of exclusion never was exercised under this patent, which attempt was founded upon a casual expression in an opinion of Sir James Stewart, an expression which they are pleased to characterize as hasty and erroneous; it appears to be necessary to remind them of a fact, of which it is difficult to suppose they can possibly be ignorant. A few years before Anderson's patent was granted, the first Parliament of Charles II. (Sess. 3, cap. 27,) declared, "that the ordering and disposal of trade with foreign nations, and the laying of restraints and impositions upon foreign imported commodities, doth belong to his Majesty and his successors, as an undoubted privilege and prerogative of the crown; and that by virtue thereof they may lay such impositions and restraints upon imported foreign commodities, and so order and dispose upon the trade of them, as they shall judge fit for the good of the kingdom." Sir George Mackenzie informs us, that it was represented to the Parliament that the only motive for making this act was that English

commodities might be more effectually debarred, and thus both the nations brought to an equal balance of trade; and it was alleged (he adds) that if this were allowed in its full extent, our kings might, by debarring us from necessaries of life, force us to any condescendences, or might by this prerogative grant monopolies at their pleasure. Sir George professed not to be able to see how this gloss was consistent with the general words of the act, or with our declaring that this, by the law of nations, belongs to all free princes, or with subsequent parliaments allowing the privileges granted to the fishing company, the prohibiting of brandy, and several other things, which are founded solely upon this act.* Whatever the purpose of

* The account in the text is taken from Sir George Mackenzie's Observations on the Acts of Parliament. We are indebted to him for a curious paragraph on the same subject, in his History of Scotland, p. 133. He there says,

"England had laid on great impositions upon our commodities that we carried into England; and, in return thereof, Scotland had imposed 60 *per cent.* upon English cloth, and the other manufactures of England; but, because that burden was too insupportable, and was designed to bring England, by treaty, to some equality with us in commerce, therefore it was represented to the Parliament, (as the Members of that Parliament still affirm, but I will not assert it,) that it was fit to empower his Majesty to order this, in the interval of Parliament, as he thought fit. But, in place of this, an Act was brought in, the last hour the Parliament rose, empowering his Majesty to impose upon, or restrain all trade, with foreigners, as he pleased, and was passed in a trice without any opposition; being glossed, as said is: And this is that Act which is now made the

the act might be, or whether the English ought to be comprehended under the word foreigners, (as Sir George thinks they ought to be in the matter of trade,) we have Sir George's own authority for saying that the Duke of Lauderdale contrived to render the act subservient to the establishment of the most odious monopolies, lucrative to his friends and dependents, but insufferably injurious to the country.

" It was declared (he says) by Rothes' Session of Parliament, that his Majesty might impose upon foreign commodities as much custom as he pleased, or might discharge the importation of them if he thought fit; by virtue of which act, brandy was discharged to be imported, and the seizures of it were gifted to the Lord Elphinstoun, son-in-law to Hatton, who extended so far his gift, that he allowed the importation of it, by transacting with the importers for licenses to bring it in, and granted *transires* as openly as the king's customers did; so that, in effect, he had his own Ex-

foundation of so many gifts and monopolies, such as these of the tobacco, brandy, &c. and by which Act, it is alledged, that his Majesty may impose whatever impositions he pleases upon foreign commodities; but this, being past in a prerogative, cannot be questioned without his Majesty's special warrant.—After the passing of this Act, the Parliament was ridden, and thus ended that Parliament which had so much burdened the country, and had so far counteracted their own proceedings; the one of which may seem a punishment of the other."

chequer; and there was so much brandy imported that the price of our barley fell considerably; the strong waters, which formerly consumed a great part of it, being no more used; and his Majesty's customs and excise, arising from Spanish wines, were considerably diminished—brandy being now come to be drunk every where in place of sack; which did irritate the people to a great height; the Lord Elphinstone being a person who was too young, and, as some said, too insignificant to [*deserve well*] receive so much of his country, and it was insupportable to see [*Hatton's daughter thrive at the public charge of the kingdom and*] the laws of the kingdom, which were introduced for a public good, delivered over to the arbitrariness of a private person, who not only rendered them ineffectual, but, in effect, inverted them to an use contrary to what was designed.

"Upon pretext of the same act likewise, Sir John Nicolson of Nicolson got great impositions upon tobacco; and, though it was pretended that tobacco was an unnecessary and expensive drug, and that it was advantageous to the nation to have it discharged, and much more to have it burdened, yet this was a most fallacious ground; for tobacco was become so necessary, that custom had made it as necessary as nature had made meat or drink, and, consequently, this imposition was as grievous

as if bread or ale had been burdened. Nor was the expense of the kingdom lessened, but rather heightened by this imposition *** ***. But that which troubled the people most in all these gifts was, the apprehension they had of the consequences that might follow from their preparatives; for it was daily expected that, *upon the pretext of* this act, there would be gifts procured upon iron, pitch, tar, and all other commodities, and that his Majesty might burden some and not others, and so parliaments would be unnecessary; for his Majesty might, by this act, impose as much as the people could bear, since foreign commodities were absolutely necessary to this kingdom, which could not provide itself. And their jealousies were, in this, daily raised by the many monopolies daily granted; as of a peck upon the boll to Seaton of Touch; the fines of maltmen to Colonel Borthwick; and of unlawful and clandestine marriages to one Rennet, the Commissioner's own servant; nor was there any thing more ordinary than for such as were the commissioner's cousins, friends, or allies, to inquire what gifts could be granted, never doubting to obtain them if once named."*

Of all the monopolies, however, by which the nation was at this time aggrieved, that which was

* Mackenzie's *Hist. of Scotland*, p. 243—246.

most universally felt, was the monopoly on salt; and it is worthy of notice, that the pretext for allowing it, was exactly the same with one of the reasons assigned by his Majesty's printers for wishing to prevent the admission of Bibles from England into Scotland. "They think it a *most severe hardship upon them, that the large sums of money which are annually received from the contributions of charitable individuals in Scotland should be remitted to England,* to purchase books, which, according to the law of Scotland, must be considered as unauthentic copies of the Holy Scriptures." Let us attend to the grounds assigned for the monopoly of salt, and the effects which resulted from it; and, lest we should be supposed to give an unfair statement, let us take the accounts furnished by a man who distinguished himself as an apologist of the government of Charles II. and who was himself one of the ministers of the Crown.

"A design had been driven on, for a long time, to get all the Scottish salt farmed by his Majesty. The Exchequer had proceeded so far in it as to transact with all the salt-masters, so that no salt was bought but from his Majesty's servants; and all foreign salt was absolutely discharged, save for fishes only. *The reason pretended for this was, because it was unjust that we*

should bestow our money upon foreigners, when our own manufacture might serve us; and it was fitter to cherish our own manufacture, whereby 20,000 people were kept at work. Nor could the coal works, which was one of the chief commodities, be kept up, except this encouragement were given to the salt, &c. The salt being thus settled upon his Majesty, it was found that the country was not well served by public servants, who either made it not their business at all, or else made it only their business for their private gain. Therefore the Earl of Kincardine farmed it from his Majesty at a considerable rate; whereupon the country was immediately alarmed by his and Lauderdale's enemies; and the former just complaints had now a way opened to them, by a letter which was writ to his Majesty by the Exchequer, representing the inconveniences the people suffered. . . . . .

" It cannot be denied, but that complaints thronged in daily; some wanting salt altogether, as in Galloway, the west, and all the Highlands, where our Scottish salt could not be carried, and so were forced to use salt water; by which many of them died as of a plague; others being forced to buy at intolerable rates, as *sixteen shillings* Sterling the boll, though they had it formerly for *four*. It was likewise represented that it did

melt in the carriage, and it could not preserve beef, hides, &c. for the hides preserved by it did all fall out in holes; which, with many other inconveniences, were heightened by its being delivered over into the hands of a private person; for whilst it was in his Majesty's hands, they expected still some redress from the Exchequer, because the members there were equally concerned with themselves; and no single person being to expect advantage, it was easy to bring them to reason in a public concern. It is also very observable, that the subjects are less grieved at the payment of what goes into the public treasure, than of what goes to the advantage of any private party; for the one seems to remain in some sense with the givers, since it is given to their Prince, from whom they expect protection, and who defends them by his treasure; whereas the other breeds in them envy and malice against such as are enricht by these spoils."*

* Mackenzie's *History of Scotland,* p. 241—243. It is remarkable how exactly this statement coincides in the most material points, with the anonymous tract, entitled, "An Accompt of Scotland's Grievances, by reason of the D. of Lauderdale's Ministry, humbly tendred to his Sacred Majesty." On the article of salt, the writer says, "The first and great grievance then, mentioned in Parliament, was the monopoly of the *salt,* which being by my Lord Lauderdale procured to the Earl of Kincardine his friend, by his Majesties gift, allowing the præemption of *inland* and prohibition of *foreign* salt, was worth to the interested more than £4000 Sterling yearly; but not only with twice as great a diminution of his Ma-

Such were a few of the effects of an act which was in force when the exorbitant gift of printing was conferred on Andrew Anderson. Though the Declaration of the Estates of the kingdom of Scotland in 1689 contained a complaint of the violation of the law by the giving of gifts or grants of raising money without the consent of parliament, this act continued in force twelve years after the Revolution, and was in force, so far as we know, as long as the Privy Council gave any decisions favourable to the claims of Andrew Anderson; but on the 31st Jan. 1701, King William's first Parliament rescinded the act of Parliament 1663, asserting his Majesty's prerogative in the ordering and disposal of trade with foreigners, in all its heads, tenor, and clauses, and declared it to be void and null in all time coming.

jesties revenue, but to the general and heavy distress of the whole country; it being most certain, that the nation was thereby reduced to those straits, that in many places the poor people were necessitated to send several miles to the sea for salt water to supply their indigence; and in other places, were constrained to give 18 or 20 shillings Sterling for the same quantity of salt, which before the granting of this gift, they used to buy for 3s. 6d. or 4s.; so that in effect the clamours of the people were ready to break out into uproars and tumults. Which grievance is so much the more chargeable upon my Lord Lauderdale, because that when his Majesties chief officers, perceiving that the first design of this salt project could not take, and that the consequences of this gift would be very hurtful, did, by their letter, give full information to the court, of the prejudices and dangers likely to ensue upon it: instead of prevailing, they were rather chid and menaced for being so officious."

We have not thought it necessary to inquire minutely into the rights of certain individuals, besides Anderson and Lindsay, who took the title of Printers to His Majesty for a few years before 1688. James Watson states, in his History of Printing, that his father "went to Court anno 1685, to demand a debt due to his father, of money lent King Charles II. in his exile; but finding it could not be paid at that time, and having now too great a concern in printing, craved a gift of being the sole printer of Almanacks in *Scotland*, which he obtained; and was also made *Printer to His Majesty's family and household*, for which he was to have a salary of 100 lib. *Sterl. per annum*. He kept a set of very good workmen; and the books printed by him make a better appearance than most of what was then done in the kingdom. He died anno 1687. In October 1687, *Peter Bruce*, (or *Bruschii*) an Engineer, a German by birth, who brought in the water to the wells in Edinburgh, by an order from the then Chancellor, took possession of my father's printing-house, and printed some small books, &c." We do not know what weight may be given to this authority, but we do know that Bruce received a grant, dated at Whitehall, 31st Dec. 1687, which refers to the previous gift in favour of

Watson;* and we can point out several books printed at Holyroodhouse in 1687 and 1688; some "by *James Watson*, Printer to his Most Excellent Majesties Royal Family and Household, 1687," and others, "by Mr. P. B. Enginier, Printer to

* A copy of this grant was intended to be inserted in the Appendix, but has been mislaid. The following is an abstract of it.

"Whereas by the deceas of James Watson, the place and office of printer to our family in our ancient kingdom of Scotland, is now vacant in our hands, and at our gift and disposition,——we have made, constitute, and ordained———Peter Bruce, to be Printer to our Family in our said kingdom during all the days of his life——— Giving———all and sundrie fees, profits, benefits, casualties, immunities, freedoms, privileges, and others whatsoever——pertaining, &c. as enjoyed by the said deceast James Watson, or any others authorised by him, with full power, liberty, and sole privilege to the said Peter Bruce, and such persons as shall be employed by and under him, of printing prognostications within our said kingdom, prohibiting and discharging all other printers, and all other persons whatsoever, from presuming to print any prognostications ther without his speciall licens and approbation, as they will answer the contrair at their perils. Given under our Privie Seall at our Court at Whythall the 31st day of December 1687 years, and of our reign the 3d year."

Before James Watson and Peter Bruce received the royal privilege of printing *Prognostications*, books of that description, containing astrological predictions, had been published annually for at least thirty years, sometimes by John Hamilton *Lapicida*, Edinburgh; sometimes by James Corss *Philomath.* Glasgow; sometimes by *an ancient and expert astronomer*, in the employment of John Forbes, Aberdeen; all stuffed with superstitious delusions. We do not know if James Paterson the mathematician, whose calculations enriched the Almanacks printed at Holyroodhouse, and who professed to teach more than sixteen branches of science, (such as Cosmography, Mecometry, Embadometry, Stereometry, &c.) at the sign of the Sea Cross Staff in the Cowgate, had more modesty than the others; but the Revolution in 1688 proved that the king's astrologer was not infallible, any more than the unprivileged star-gazers of that credulous age.

the King's Most Excellent Majesty, for his Houshold, Chappel, and Colledge, 1688." Several of the number are popish books, such as "The Faith of the Catholick Church concerning the Eucharist;" "The Christian Diurnal;" "A Pastoral Letter from the four Catholic Bishops to the Lay-Catholics of England," &c. We may further state, that one of the grievances complained of in the claim of right was, that James VII. had violated the liberties of the kingdom, "by allowing popish books to be printed and dispersed by a gift to a popish printer, designing him Printer to His Majesties household, colledge and chappel, contrary to the laws." This appointment was connected with another act of King James, which was also bitterly complained of, namely, the erection of a popish seminary, or royal college, within the precincts of Holyroodhouse, for the purpose of training up the youth in principles which could not be taught in the protestant schools and universities established by law, without violating all the statutes in favour of the reformation. The royal prerogative appears to have been considered sufficient to supersede a long series of acts of parliament; and, if it had not been resisted, would soon have overturned the religious establishment of the kingdom.

For some time after the Revolution, Mrs. Anderson and her son, though repeatedly cited to the

Privy Council, declined to qualify themselves for exercising the office of King's printer. The jacobite author of a tract, entitled, " An Historical Relation of the late General Assembly, 1690," says that Mrs. Anderson claimed the privilege of printing the Acts of the Assembly, by virtue of her gift from the king to print all public acts and proclamations; and he seems to think it very hard that the church would not yield to her claim, especially as she is said to have " ever heretofore favoured their party." The church appointed George Mossman to be the only printer to the assemblies; and the privy council afterwards found that George Mossman had the only right to print the acts and other papers belonging to this church and her assemblies, and discharged all others from printing the same. On the same day, (21st November, 1690,) the council declared, that " albeit the heir of Andrew Anderson print the proclamation of council adding the civil sanction to the General Assembly's act appointing a solemn fast throughout the kingdom, it shall be no homologation of his right or gift to be their majesties printer."

It does not fall within the plan of this paper to make any observations on the degree of fidelity and correctness with which Mrs. Anderson printed royal proclamations, by authority of the council, and acts of Parliament by appointment of the Lord

Register, both of which kinds of publications may be conceived to have been indisputably included in her gift. But it appears that she continued to insist, that it was part of her right to prevent any printer from printing, reprinting, or importing any books printed, or to be printed, by her, under pain of confiscation. Thus, in the year 1701, (March 14th,) she represented to the Privy Council that she was engaged in printing Poole's Annotations on the Bible, and Clark's Harmony of the Evangelists, which she asserted (without the shadow of truth) was "much better done, and on finer paper, than that done in the English nation;" and that she had also begun editions of Durham and Flavel's works, Campbell on the Sacrament, and Craighead's Sermons. She prayed that their Lordships might discharge the printing, reprinting, or importation of any works printed by her, and particularly the works above mentioned. Their Lordships remitted the petition to a committee, and recommended to them to give Mrs. Anderson the sole privilege of printing Poole, Durham, Campbell, and Craighead, and to declare that any of these works printed by any other person within this kingdom shall be confiscated. But the Privy Council refused the desire of Mrs. Anderson as to Flavel's works, and allowed these works to be printed, imported, and sold by any person whatsoever. In fact, they did not prohibit

importation of any of the books, though it is evident, from her petition, that in the case of Poole's Annotations, the most important of all, it was not the reprinting, but the importing of the book that she dreaded, as well she might, for Watson has justly characterized her editions of Poole and Flavel as " two voluminous botches."

It is impossible to calculate the injury done both to religion and learning by the monopoly enjoyed by Mrs. Anderson, even after it was limited by the Privy Council. In a very sensible *Letter to a member* of the *General Assembly concerning the education of children*, it is said, that the most unsurmountable difficulty, which both teachers and learners must grapple with daily, " proceeds from the scandalously erroneous printing of all manner of school-books whatsoever, which are printed here in Scotland, whether Latin or English, even from the Shorter Catechism to the classic authors, and grammar upwards. And finding few or none of these books to be printed by any other, but the relict of Andrew Anderson only, I made inquiry several times how this came about; but never could obtain any satisfaction as to the reason of that abuse, till that of late I had occasion to hear of a debate between her and the other printers of Edinburgh concerning a monopoly of printing, to which (it seems) she pretends right

by virtue of some grant from Charles II. not only as to school-books, but extending likewise to Bibles, New Testaments, and all parts thereof: Nor indeed did the account which I had of the debate give me a clear notion of the matter, until I saw the printed informations *hinc inde* on that head, to which I refer you; but lest they may not come so readily to your hand, I have excerpted out of the Printer's Information the hereunto subjoined errata in Mrs. Anderson's *New Testament*,* and by my next you may expect a large collection of many other errata, which I am, for my own farther satisfaction, picking out of her Bibles, &c.; by which, in my humble opinion, it will evidently appear, that all these false impressions of her Bibles and New Testaments ought to be utterly suppressed by some public act, without which it is hard to tell how far the principles and opinions of well-meaning country people, and ignorant women, may

* These errata fill six columns of very closely-printed quarto, and would occupy about twelve pages of this pamphlet. Several whole lines are omitted. Many of the errors are quite ungrammatical, and not a few materially affect the sense, as *rightcousness* for *unrightcousness*,—*he killed* for *he is killed*,—*things* for *times*,—*for that have sinned* for *for that all have sinned*,—*enticed in every thing* for *enriched in every thing*,—*we* for *ye*,—*either* for *neither*,—*world* for *word*,—*loveth pleasure* for *liveth in pleasure*,—*perfect* for *priest*,—*their* for *your*,—*we know his commandments* for *we keep his commandments*,—*thou hast slain* for *thou wast slain*,—*his testimony* for *their testimony*. Several are ludicrous, and cannot very properly be mentioned. And even those which do not obscure or pervert the meaning, or render the construction ungrammatical, diminish the confidence of the reader in the integrity of the text.

be corrupted by them, besides the scandal of having the word of God, (which is indeed the only standard of all truth,) so mangled and abused, under the colour of a pretended *monopoly* as to the right of printing. To pick and cull out all the errata of her grammars and classic authors, would make a volume apart."*

"It is certain (says this author,) that while the right and liberty of printing is confined to one single person or society, the nation must expect to be grossly imposed upon, both as to the price and quality of the work, because the seller knows the buyer cannot go by him; whereas, on the contrary, when all printers have an equal liberty to print, and know that he who blows best will carry away the horn, there must arise a certain emulation among them to excel one another in the goodness of their work and reasonableness of their prices, which will likewise, of course, produce an improvement in the art itself: Yea, they will

* In confirmation of this remark, it is stated by the author of "a character of Mr. Blaw's book, entitled, *Suadela Victrix*," that the errors of the press were nearly as numerous as the lines. Some, if not all, of these books were printed by Mrs. Anderson. Mr. Robert Blaw, the author of several school books, such as *Praxis Oratoria, Vocabularium Duplex,* seu *Fraus Elusa,* obtained the sole privilege of publishing them for 19 years, by act of the Privy Council, 16th September, 1686. This man is said to have acted as a spy, and to have rendered himself otherwise subservient to the despotic measures of the government to which he owed his license.

thereby become checks on each other's work, and save any other person the drudgery of revising the correctness of any books printed by them; and being once thus indulged as to the benefit of their trade, they will be much the warier not to print any thing that may offend either church or state; whereas, otherwise they will the more readily be tempted to print any thing clandestinely for bread to their families. But if after such a general indulgence, any of them should be found tripping, their having such a discretionary liberty allowed them, would be an aggravation of their guilt, and no doubt care would be taken to punish them accordingly."

At this period it seems to have been universally understood, that it was incumbent on the national church to exercise a vigilant inspection over the printing of the Bible, and other works relating to religion. At no period, indeed, (except when the original ecclesiastical constitution was subverted by such monarchs as claimed the title of head of the church,) was it ever conceived to belong to the civil power to assume an absolute control over the publication of such works; and, in the earliest times, the license of the crown, if it had been inadvertently granted to a book not approved by the church, would have been insufficient to protect it from condemnation. In the year 1563, the

General Assembly ordained, that no work should be set forth in print, or in writing, touching religion or doctrine, till it was approved by the superintendent, and such as he should call of the most learned of the bounds; and in the event of any doubt on their part, the work was to proceed to the General Assembly. In 1568, Bassandyne the printer (as already stated,) was censured for having printed two books, one of them a Psalm Book, without license of the magistrate, or revising of the kirk, and was ordered to observe this rule in time to come, and in the mean time to call in the books sold, that they might be corrected. After Lekprevik was appointed King's Printer, he acted for some time as printer to the church, and received out of the funds at their disposal a salary of fifty pounds a-year, in consideration of his great zeal to serve the kirk at all times. The approbation of the church was obtained by Arbuthnot and Bassandyne, before they applied to government for the license to print the Bible, —a license which, it must be recollected, was equally necessary at that time, whatever the subject of any work might be.* And in several of the letters

* Till the beginning of the 18th century the Privy Council of Scotland continued to give licenses for printing not only serious and useful books, but such as were altogether frivolous and fantastical. The object of such licenses was chiefly to protect the property of the authors or publishers, as must appear from the following specimens:—

"Apud Edinb. 26. Feb. 1685.—The lords of his Majestie's Privy

of privilege to his Majesty's Printers, we observe that the approbation of the presbytery or session

Councill, Haveing considered ane address made to them by Mr George Sinclair, late professor of philosophie at the Colledge of Glasgow, and author of the book intitulled *Satan's Invisible Works* [*World*] *Discovered*, &c. Doe heirby prohibite and discharge all persons whatsomever, from printing, reprinting, or importing into this kingdome, any copy or copies of the said book, dureing the space of eleven yearis after the date heirof, without licence of the author or his order, under the pain of confiscation thereof to the said author, Besydes what furder punishment we shall think fitt to inflict upon the Contraveeners."

" At Edinburgh, the 7. of January 1696.—The Lords of His Maj. Privy Council do hereby allow *George Mosman* stationer in Edinburgh to print, vend and sell a Book entituled a true Relation of an *Apparition*, Expressions and Actings of a Spirit, which infested the House of *Andrew Mackie* in *Ring-Croft* of Stocking, in the paroch of *Rerrick*, in the Stewarty of *Kirkcudbright*. And discharges any other Persons whatsoever to imprint, vend, or sell the said Book for the space of one year after the date hereof Except the said George Mosman and his assigneys under the penalty of having the said Book confiscat to the use of the said *George Mosman* & of paying to him the sum of 40 pounds Scots for each transgression besides the forsaid Confiscation *toties quoties*. Extracted by me,

Gil. Eliot Cls. Sti. Cons."

" At Edin. the 25. day of Nov. 1697 years.—The Lords of His Maj. Privy Council do hereby give full and sole power, liberty and warrand to *Gilbert Hall*, Lieutenant of the town of *Edinburgh's* Company of Guards, or to such persons as he shall appoint, to print, vend and sell an Book, entituled, *A Plain and Easy Explanation of the Assemblies Shorter Catechism;* and discharges all other Persons whatsomever to reprint, vend, sell or import the said book for the space of nineteen years, next after the day and date hereof, under the penalty of 500 merks to be payed to the said Lieutenant Hall, or his assignees, by and attour the Confiscation of the saids Books to the said Lieutenant, and his representatives, for their own use and behoove. Extracted by me, Gil. Eliot Cls. Sti. Cons."

of Edinburgh, was regarded as not less essential than the approbation of his Majesty before any work was published.

(This Book by the late Mr. Thomas Hall minr. at *Enver*, alias *Larne*, in the Kingdom of *Ireland*, was printed by *George Mosman.)*

Exclusive privileges (with heavy penalties against such as violated them) were given particularly in the case of school-books. Thus the *Grammar*, and the second edition of the *Rhetoric* of James Kirkwood, schoolmaster of Kelso, were licensed by the Privy Council, 3d Dec. 1695; and all printers, stationers, and others, were "*discharged* to print, reprint, import, sell or disperse, within the kingdom, any of the said two books, for nineteen years, without the license of the said Mr. James Kirkwood, his heirs or assignees, under the penalty of 2000 merks Scots, to be paid by each contraveener, beside the confiscation of the books so printed, imported, sold, or dispersed."

In terms somewhat different, various books were licensed after the union. Thus the Grammar of Thomas Watt, A.M. and his Vocabulary, were licensed by the Privy Council, 19th April, 1708; and all other persons *within Scotland* were "discharged to reprint the samen, or to import reprinted copies from any place *without the kingdom of Great Britain*, without the petitioner or his assignees' warrant, and that for the space of nineteen years, under the penalty of £20 Sterling, to be paid by the contraveners, to the petitioner or his assignees, besides confiscation of the books so reprinted and imported."

The form of these privileges or licenses appears to have been originally copied from the French. Indeed it was in France that they were first introduced about the year 1507. The following is a specimen, which may be worthy of transcription, as it relates to a very rare book, on Plane and Spherical Trigonometry, by James Hume of Godscroft.

Extraict du Priuilege du Roy.

"Par grace & Priuilege du Roy, en datte du 5. Auril 1635. signé par le Roy en son Conseil, Le Gros, & scellé du grand seau de cire jaune; Il est permis à Iacques Hume, Escuyer, d'imprimer ou faire imprimer, vendre & distribuer vn Liure intitulé, *la Trigonometrie, ou Triangles Rectilignes & Spheriques*, pendant le temps & espace de dix ans entiers, à compter du iour qu'il sera acheué d'imprimer. Et

Mrs. Anderson was extremely anxious to obtain recommendations of her works from the General Assembly, and succeeded in one or two instances before the publication took place. Thus, in 1700 and 1701, it was recommended to noblemen, gentlemen, ministers, and others, to encourage her in her undertaking to print Poole's Annotations, and some other works ; and she stated to the Council, that she had obtained this recommendation before she applied for the sole privilege of printing them. The recommendations in these instances applied to the substance of the works, and not to the fidelity or accuracy of the typography.

One of the instructions of the General Assembly to its Commission in the year 1706, was to apply to the government to discharge the importing or printing for common sale, any erroneous books, or any incorrect copies of the Holy Scriptures. In the course of that year, the Commission took this matter frequently into their consideration, and found that several acts of Parliament had been made against importing, vending, or dispersing erroneous books,

deffenses sont faites à tous Imprimeurs, Libraires & autres de quelque qualité & condition qu'ils soient de l'imprimer, faire imprimer, vendre ny distribuer, sinon du consentement & de ceux dudit exposant, à peine aux contreuenans de cinq cens liures d'amende, confiscation des exemplaires, & de tous despens, dommages & interests, comme il appert esdites Lettres de Priuilege, données le iour & an que dessus.

Acheué d'imprimer le 20. *Octobre* 1635.

particularly act James VI. Parl. 7, c. 106, and James VI. Par. 11, c. 25, which last authorizes magistrates of burghs, with a minister, to search for and destroy books against the true word of God, and the religion professed. But "being informed that Agnes Campbell, widow of Andrew Anderson, had the sole privilege of printing Bibles in this kingdom, and that she had lately obtained an act of Council in her favour, and that she was desirous to be heard before any application should be made," they appointed three of their number to hear what she had to say in this affair. These individuals accordingly met with Mrs. Anderson, and reported (26th Nov. 1706) "that she earnestly desired the Commission would fall upon methods to hinder foreign impressions of the Bible to be brought home, and that for any of the impressions of the Scriptures done by her, she was heartily willing that the Commission might appoint any body they thought fit to revise and correct the same at her press." The Commission, without taking farther notice of this communication, resolved next day to petition, and accordingly did petition, the Privy Council, showing them that there are a great many incorrect copies of the Holy Scriptures vended and dispersed through this kingdom, whereby the truths of Christ are in danger of being corrupted; and entreating, that their Lordships would, in their wisdom, fall upon

some effectual way to prevent the *printing*, importing, vending, or dispersing, any incorrect copies of the Holy Scriptures, or any part thereof. The Commission at the same time offered their service and assistance in so good a work, where their Lordships might find it needful.

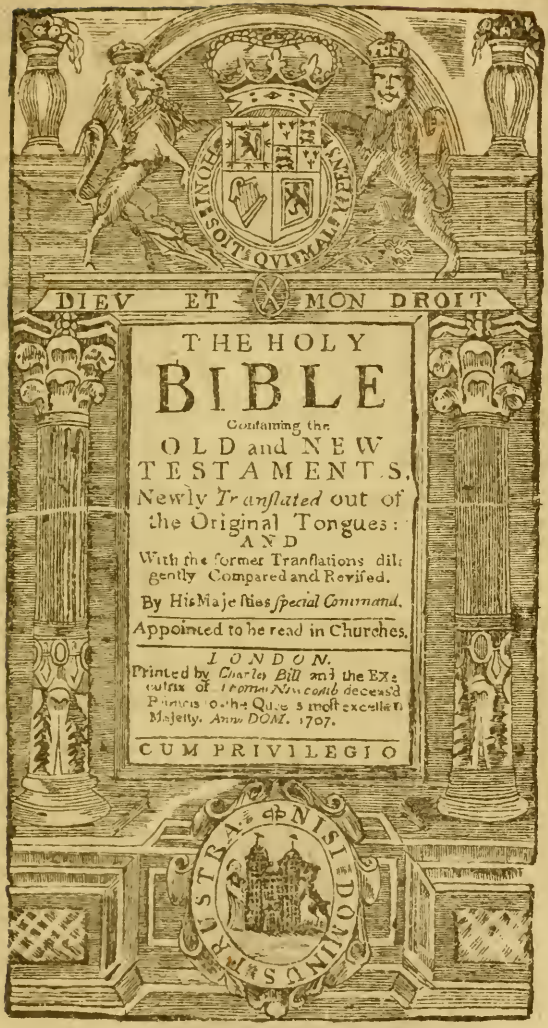
It is quite evident from the terms of this petition, first, That either a sufficient supply of Bibles was not furnished, or that such as were furnished were sold too dear, or that they were thought inferior to such as were imported, otherwise there could have been no temptation to import. Secondly, That importation must have been very common, otherwise it would have been unnecessary to petition against foreign impressions; and Mrs. Anderson would not have been so earnest to hinder them from being brought home. Thirdly, That the royal press furnished incorrect Bibles; for it is stated, that no one printed Bibles in the kingdom except Mrs. Anderson, and had she printed them correctly, it would not have occurred to the Commission to pray the Council to prevent the printing of incorrect copies of the Holy Scriptures.

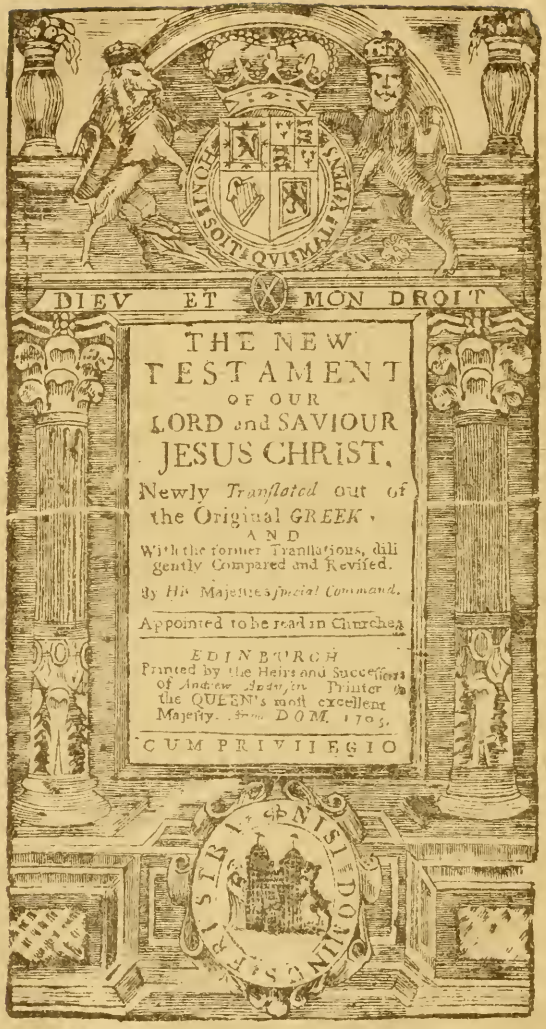
It is not difficult to produce proofs of the demand which prevailed at that period for English printed Bibles: Mrs. Anderson's own testimony can scarcely be refused. She had the imprudence to perpetuate an indelible acknowledgement of

the inferior estimation of her editions in the eyes of the public. A pocket Bible was printed in the year 1707, in a style similar to some which had previously appeared; and this edition bears on the title the following imprint, (here copied *literatim*) "LONDON, Printed by *Charles Bill* and the Executrix of *Thomas Newcomb* deceas'd, printers to the Queen's most excellent Majesty, *Anno* DOM. 1707. CUM PRIVILEGIO." In this title-page, however, a remarkable oversight was committed. Mrs. Anderson had for some time before enclosed the title-pages of the Old and New Testament in an ornamental border, having at the top the royal arms, as they were usually blazoned by His Majesty's Printers before the Union; and at the bottom the arms of the city of Edinburgh, (with the motto, *Nisi Dominus frustra,*) the badge of her office as Printer to the City and University. The plate bearing these and other emblematical decorations (such as St. Andrew's Cross, the Thistle and the Rose, &c.) happened to have been cracked; and with this identical cracked plate was the title-page, containing the names of *Charles Bill* and the Executrix of *Thomas Newcomb*, printed in 1707. A fac simile of one of Mrs. Anderson's titles of the New Testament, in 1705, with another of the title of the Bible already mentioned, may be seen on the accompanying litho-

graphic engraving, which has been executed with sufficient accuracy to give a much more intelligible representation than could be conveyed by any verbal description. Nobody who compares the two titles can entertain any doubt of the identity of the cut from which the impressions of the border were taken. It is not conceivable that Mr. Bill and Mrs. Newcomb should have fabricated an imitation of Mrs. Anderson's wooden title plate, or that they should have bought or borrowed, or stolen it, after it was almost worn out; or that they should have sent to Scotland for coarser paper than they had ever been known to use; or that, for the first time in their lives, they should have printed a Bible from a fount of types so defective, that some of their Roman letters were exhausted long before they reached the end of the first sheet, consisting of only ten leaves, (the first and second being occupied with the title and the dedication,) so as to occasion a deformity, such as cannot well be conceived by any one who never saw it. There are five columns in which the Italic *a* occurs at least seven hundred times, instead of the Roman character. A specimen is subjoined in one of the foot notes.* It

* *And Abraham* roſe up *early* in the morning, *and* took bread *and a* bottle of water, *and* gave *it* unto Hagar (putting *it* on her ſhoulder) *and* the child *and* ſent her *away*: *and* ſhe departed *and* wandered in the wilderneſs of Beerſheba.—Gen. xxi. 14.


HONI SOIT QVI MAL Y PENSE
DIEV ET MON DROIT
THE HOLY
BIBLE
Containing the
OLD and NEW
TESTAMENTS,
Newly Translated out of
the Original Tongues:
AND
With the former Translations dili-
gently Compared and Revised.
By His Majesties Special Command.
Appointed to be read in Churches.
LONDON.
Printed by Charles Bill and the Exe-
cutrix of Thomas Newcomb deceas'd
Printers to the Queen's most excellent
Majesty. Anno DOM. 1707.
CUM PRIVILEGIO
DOMINUS ILLUMINATIO MEA



THE NEW TESTAMENT OF OUR LORD and SAVIOUR JESUS CHRIST,

Newly *Tranſlated* out of the Original *GREEK*:

AND

With the former Tranſlations, diligently Compared and Reviſed.

By His Majeſties ſpecial Command.

Appointed to be read in Churches

EDINBURGH
Printed by the Heirs and Succeſſors of *Andrew Anderſon* Printer to the QUEEN's moſt excellent Majeſty. *Anno DOM.* 1705.

CUM PRIVILEGIO

is not material to ascertain, whether this artifice, of a false imprint, was resorted to for the purpose of making a bad Edinburgh edition more saleable, or from any other motive; but the impression to which we allude is not worse than several others which were printed in Edinburgh about the same period.

We may advert to a few of them.

Two or three of the earlier editions of Andrew Anderson and his heirs are respectable in their appearance. The small octavo, 1676, (nonpareil letter) is printed on good paper, and with good ink; and we do not know of any Scottish edition of the size since the time of Watson, which is equal to it. The quarto edition, 1678, is better than almost any which has been printed in Scotland of late years, except the royal quarto 1822. It is very superior to the quarto edition of 1814. But all the future editions, from 1678 to 1712, appear to have progressively degenerated. The ink in general is better than is used in printing common bibles now-a-days; and we have seen less legible Bibles than most of them published within the last thirty years. But though the Bibles printed in England about the year 1700, were much complained of for their incorrectness, the Edinburgh Bibles were in that respect incom-

parably worse. Let any one compare either of the London editions of 1698, (which are really indifferent enough) with Mrs. Anderson's of that year, and the difference will be sufficiently striking to excite our compassion for those (if there were any) who could not provide themselves with better copies. This edition of 1698 is not only indistinctly printed, but full of errors. It would be disagreeable to point them out minutely; but the following specimen is taken almost at random: Mark iii. 26, *against Satan*, for *against himself;* Luke i. 31, *bring for*, for *bring forth;* John i. 13, *of the flesh*, for *of the will of the flesh;* Rom. ii. 13, *does of the law*, for *doers of the law;* Rom. vi. 17, *Ye were not the servants of sin*, for *ye were the servants of sin;* Rom. viii. 33, *eject* for *elect*, (the letters *i* and *l* are very often confounded, as *abie* for *able*, *falth* for *faith;*) Gal. i. 6, *I marvels*, for *I marvel;* Col. iii. 19, *be not better against them*, for *be not bitter against them.* The singular is often substituted for the plural, as *hath* for *have;* and many short words are omitted altogether. The spelling of common words is often quite unintelligible, as *thao* for *that*, &c. Italics are frequently used in place of Roman letters, particularly the personal pronoun *I;* and two or three words are sometimes printed as one. Even this edition

(which is not the most incorrect) is beautiful, when compared with the New Testament of 1694.

In this edition, which is printed in black letter, we do not think there is a single instance in which the supplied words are distinguished, either by difference of character, or by including them in brackets, as had been the original practice. In this way alone, the inaccuracies of the New Testament must exceed 2000. Occasionally, indeed, Italic and Roman letters are scattered over the pages along with the black letter, particularly in the case of the pronoun *I* and the final *s*; but this must be attributed to carelessness, or to the poverty of the fount. The letters *b* and *h* are scarcely distinguishable, and sometimes *b* is substituted for *d*, and *d* for *h*; so that the words *hear*, *bear*, *dear*, or *hid*, *bid*, *did*, may be all confounded. Thus *would* is spelled *woulb*, and *Christ* sometimes *Cdrist*. It is impossible to open a page, without noticing omissions of letters. Thus *Titus* is called *Tius*, *Timothy* is called *Timoty*; and the *saints* which are at *Ephesus* are abridged into the *saits* which are at *Epesus*. The occurrence of redundant letters is almost equally common; thus *unrighteous* is spelled *unrighteoteous*. The letter *f* is sometimes used for *s*; and thus we find *paffover*, *veffel*, and *Theffalo-*

nians. More frequently *s* acts the part of *f*; and in this manner, instead of *the four beasts fell down*, we are required to read *the four beasts fell down.* It would be endless to enumerate all the blunders arising from the transposition of letters; and we only remark in general, how very serious were the consequences of these literal errors at a time, when the New Testament was universally employed in teaching children to read. An edition of the Bible in 12mo. published in 1705, though not so full of errata, is printed so as to puzzle the best reader who is not previously acquainted with the sacred text, and must have been incomprehensible by learners. Thus what would they make of this sentence, "Whyshoulditbethoug tathingincredible w^t you, y^t God should raise the dead?" The page from which these words are taken contains also various errors. A better idea may be formed, by seeing an imitation of the print in a note; * and

* The following imitation is not perfect, as the abbreviated characters y^e, w^t, &c. could not be obtained in the nonpareil type.

37 O Jerufalem, Jerufalem, thou that killeft the prophets, and ftoneft them, which are fent unto thee, how often would I have gathered thy children together, even as a hen gathereth her chickensunder*her* wings&yewouldnot! 38 All the*fare* the beginningof forrows.

69 ¶ Now Peter fat without in the palace:&adamselcameuntohim,faying Thou alfo waft with Jefus of Galilee. 39 And he went a little further, and fell on his face, and praved, faying, O my Father, if it be poffible, let this cup paſs from me: nevertheleſs let not as I will, but as thou *wilt*.

47 And if thine eye offend thee, pluck it out: it is better for thee to enter into y kingdom of God wone eye, thanhavingtwoeyestobecastintohelfire 37 And he cometh, &findeththemfleeping, & faith unto Peter, Simon, fleepeft thou? couldeft not thou watchonehour? 24 And to offer a ſacrifice accordingto that w is ſaid in the law of the Lord, A pairof turtledoves, or twoyoung pigeons

we venture to say that such an edition was never printed in England. *

After this representation of the inaccuracies which pervaded the productions of His Majesty's printing-house, it may be thought unaccountable that Mrs. Anderson was appointed printer to the Church of Scotland in the year 1712. This appointment might indeed have excited some surprise, if the church of Scotland had ever manifested any anxiety to select a printer who had given proof of his peculiar qualifications for the office. The acts of the General Assembly have seldom exhibited indications of any strong desire on the part of that venerable court to secure either correctness or elegance. The fact is, that the

* The quarto Bible of 1705 also abounded in blunders, and the metrical Psalms were printed at this period by the Heirs of Andrew Anderson in the most careless manner. In Psalm xix. 3, the words *to which* are omitted at the end of the first line: thus,

There is no speech nor tongue
their voice doth not extend.

In Psalm xxv. 3, the word *be*, which should conclude the first line of the stanza is carried down to the third: thus,

Yea let thou none ashamed
that do on thee attend:
Ashamed let them be, O Lord, be
who without cause offend.

In Psalm xliii. 6, we find,

He of my count'nance is the *head*,

instead of

He of my count'nance is the *health*.

General Assembly on this occasion would have appointed the children of Mosman their former printer, (young as they were) if none of the other applicants for the office had been able to purchase the copies of the old acts of Assembly in Mosman's warehouse, to the value of above £3300 Scots. No other printer in Edinburgh could afford to make this purchase, except Mrs. Anderson, who was very wealthy; and her election was the result of a compromise between her and the representatives of her predecessor in office. Another circumstance might weigh a little with the Assembly. The government was not then considered to be friendly to the church of Scotland. The best printers in Edinburgh at that time, Freebairn and Watson, were Jacobites and Episcopalians, and they had recently been appointed printers to her Majesty. It was very provoking to see the most violent attacks upon the established church, printed either by James Watson or Mr. Robert Freebairn, who seem to have exercised a discretionary power of declining to publish royal proclamations when they were not consonant with their own views; otherwise it is difficult to discover why the Queen's proclamation against unlawful intruders into churches and manses in Scotland was printed, not by either of her Majesty's printers, but by John Reid in Bell

Wynd. It might appear to the church to be worth their while at that critical period to employ a printer whose patent was not quite expired, and whose designation carried with it, at least, the semblance of authority. Be this as it may, the acts of Assembly 1712 were printed by Mrs. Anderson very incorrectly, even in the spelling of her own name, as well as more material words.*

In the year 1712, Mrs. Anderson's gift expired, and a new patent was obtained by Robert Freebairn for himself, his partners, heirs, and assignees, in which importation not only from places beyond seas, but from any place beyond the boundaries of Scotland, was prohibited. The crown lawyers of that period did not think it by any means clear that such prohibition was legal, and one of them, Sir James Stewart, Lord Advocate, thought it decidedly contrary to the fourth article of the Union, which gives a free intercourse of trade through the whole united kingdom. He thought also, that it was contrary to all good policy, and of dangerous consequence, to give allowance to the patentee to cause print and import Bibles from beyond sea; and he says, that, *for certain*,

* Though the very title-page exhibits glaring marks of incorrectness, we do not venture to say, that all the ungrammatical expressions in the acts 1712 must be charged upon the printer, as, for instance, the *act concerning the admission of infants to baptism.*

the importation of Bibles from England had not hitherto been prohibited in Scotland, whatever might have been the conception of former gifts.*

It is not the intention of these remarks to enter into any lengthened discussion, concerning the legal construction of this or any other patent. Freebairn, the printer, engaged in the rebellion 1715, and was supposed to forfeit his patent. A new one was granted to John Baskett, and Mrs. Anderson, who has been so often mentioned; and, in this new patent, the prohibition of importation is limited to places beyond seas. His Majesty's Printers say now, that this prohibitive clause is of the same force with that in Freebairn's patent, which prohibited importation from any place out of Scotland, as well as from places beyond seas. Their reasons for thinking that importation from England was not meant to be permitted are these: "1st, That this is a patent under the great seal of Scotland, by the king, as king of Scotland alone, in the exercise of his duty to the Presbyterian Church and people of Scotland,—and that the King's Printer for England must, in law, be holden as an alien, as far as regards the great seal of Scotland, as owing no allegiance to the crown of that country, no obedience to the laws, and no subscription to her established religion." On this point, it is sufficient to observe, that

* Appendix, No. XXXVI.

if England be a foreign country, and if it be in the discharge of the duty of the sovereign to the presbyterian church, that a printer for Scotland is appointed, it is as inconsistent to include the right of printing books of Common Prayer as it would be to include the Roman Breviary, or the Primer of Salisbury use, or the ritual of any other church,—and it is not understood that "subscription to the established religion" has ever been considered as an indispensable qualification of his Majesty's Printers for Scotland, otherwise John Baskett, who received the patent in question, must have subcribed the Confession of Faith in Scotland, and the Thirty-Nine Articles in England.* A second reason

* It is certain that John Baskett was duly sworn printer for the kingdom of England to his Majesty George I. Having not only procured a lease for printing the Bible from the University of Oxford, but also a third of the patent of Robert Freebairn for Scotland, he set up a printing house in Edinburgh soon after the death of James Watson, whose third was assigned to Brown and Mosman. Brown and Mosman brought an action against Baskett in 1725, and the first point they insisted on was, "that Baskett never had accepted the gift, and could not now pretend to make any use of it, not having taken the oaths, particularly the oath of abjuration, within the time limited by the statute." Mr. Baskett contended, 1st, that no person was obliged by the act of the *sixth* of Queen *Anne* to take the *abjuration*, but he who was by the act 1693 obliged to take the oaths of *allegiance* and *assurance;* and, 2dly, that the office of King's printer was no such civil office, as by the intention of the statute could subject *Mr. Baskett* to take the oath of *abjuration*. *The Lords found, that the King's Printer was not obliged to take the oaths.* Edgar's *Decisions*, p. 190. It is equally certain, that the King's printer has never been considered as owing subscription to the established religion. He may be a Socinian, or a Papist, or an Infidel. If it be

for thinking that it was not intended to allow importation, and establish a competition between the King's Printer and the Scottish patentees, is, that "Mr. Baskett was King's Printer in both countries, and there could be no intention to create a competition between Baskett and himself." It might, however, be considered, that as Baskett could not live always, and as he might assign or dispose of either or both of the patents, it was not expedient to perpetuate a monopoly of the printing of Bibles throughout the whole united kingdom, which was the more likely to prove pernicious, as Baskett had no competitor in England, having contrived to farm the university presses, or at least one of them. *Thirdly*, It is said that the patent to Baskett and Campbell (or Anderson) contained a clause indicating, that the king did not intend to deprive the patentee of any of the ancient powers of the office. "The clause, *cum omnibus perquisitis, emolumentis, immunitatibus, exemptionibus, et privilegiis quibuscunque eidem spectantibus, in quantum consistunt cum articulis unionis*, &c. (they say) can have no other meaning; there is no clause resembling it in Freebairn's patent; therefore it appears to have been introduced just on purpose to prevent the inference

true that one of the Englishmen whose name is on many of the Edinburgh Bibles, before Kincaid's time, avowed himself a Deist, his oath would have obtained no credit though he had sworn upon the Gospels.

which the booksellers are desirous to draw from the silence of the prohibitory clause; and the reference to the treaty of union shows, that the power of preventing importation from England was one of those doubtful powers which were to be conveyed, if they were legal, but not if they were illegal." So far as this argument rests on the absence of any clause similar to *cum omnibus perquisitis*, &c. in the previous patent to Freebairn, it is humbly apprehended that it must be untenable; for the patent to Freebairn contains these words, "cum omnibus *privilegiis*, libertatibus, proficuis, *immunitatibus*, casualitatibus, mercedibus et salariis consuetis de scaccario suo debitis cum omnibus aliis *emolumentis* eidem spectantibus." Several of the words are the same, and the rest are, to all intents and purposes, equivalent, or rather more than equivalent, to the clause in the patent of Baskett and Campbell, which has been thought so important. Words a little varied, but of the same significancy, had been inserted in the gift to Young and Tyler in 1641; namely, "Cum omnibus privilegiis, libertatibus, proficuis, immunitatibus, feodis, casualitatibus, et aliis emolumentis eidem spectantibus, vel quæ ad idem de futuro pertinere dignoscentur, vel quæ tempore præterito exercebantur, utebantur, vel fruebantur, per quem alium nostrum typographum ante hac," &c. Can any one read these words,

and believe for a moment, that the clause *cum omnibus perquisitis* in Baskett and Campbell's patent, inserted immediately after their nomination, as a similar clause is in Freebairn's, was introduced on purpose to prevent the inference which the opponents of his Majesty's printers for Scotland wish to draw from the silence of the prohibitory clause?

Without dwelling longer on the terms of the patents granted successively to Freebairn and Baskett and Campbell, we may observe that some other interests must have been much more consulted than the purity of the standards of faith. It appears from the opinion ascribed to the Solicitor-General in 1711 or 1712, that some noise was made against all such gifts, as if they were unlawful monopolies; and for clearing this matter, he thought fit to consider the original design of such gifts, with a particular view to the sacred books and books of the law. "The great care," he says, "that was necessary to be taken to preserve those books from being corrupted, for securing the subject from being led into errors, either on their spiritual or temporal concerns, did certainly give rise to such grants; for the most certain way of providing against this evil, was by the Sovereign's appointing such persons, for the management of that trust, as would be answerable for their behaviour, being under the immediate hazard of the royal displea-

sure, and of losing the benefits of their grants, if they did not execute their office, so as by their attempting it they were bound to do; so that such a monopoly is founded on good and solid reasons." *

With great deference to Mr. Solicitor-General Kennedy, or whoever he was who talked thus, he appears to have been exceedingly ill-informed; for his theory is not only unsupported, but entirely overthrown by recorded facts, which it is inconceivably astonishing that he should not have known.

With regard to books of the law, Mr. Kennedy could not be ignorant that, from the year 1540 to his own time, the authority of the parliament of Scotland was thought necessary to confer the monopoly of printing the acts; and that at the conclusion of every session of parliament, it was common to authorize the clerk register to appoint a printer. He must have known also, that, though in England it was understood that abridgments of the statutes could be printed only by the Printers to his Majesty and the Universities, and perhaps the Stationers Company, who at that very time were disputing the right to such law-books as Roll's Abridgement, matters were otherwise ordered in Scotland. Sir James Stewart, Lord Ad-

* Appendix, No. XXXV.

vocate, published a well-known Abridgment of the Acts of Parliament from 1424 to 1707, and obtained from the Privy Council, not only the sole license of printing it, but a prohibition of the printing or sale of any other Abridgment for nineteen years from September 1701. This privilege was assigned by his Majesty's Advocate, not to his Majesty's Printer, but to George Mosman, another Edinburgh printer, who thus had the power of preventing the printing of any Abridgment of the public statutes by the only person to whom, in Mr. Kennedy's judgment, the monopoly could be safely confided. We suppose Sir George Mackenzie's Observations on the Acts of Parliament must have been considered as a law-book, yet Sir George, stickler as he was for prerogative, obtained warrant from the Privy Council for the sole printing, reprinting, or vending of this book during the space of nineteen years; and this right was assigned and disponed by Sir George (then King's Advocate) to Thomas Brown, stationer in Edinburgh, who also received assignation to the *Institutes* of the Law of Scotland, and the *Laws and Customs of Scotland in Matters Criminal*, both by the same author. Mr. Kennedy's notions on this subject appear to have been derived from the practice in England, where the law-patentees of that period were disputing Viner's right to publish

the Abridgment, which was entirely his own compilation. The case we perceive was quite different in Scotland. But it is more to our purpose to examine Mr. Kennedy's *rationale* of the monopoly of the Scriptures.

If, indeed, it was on account of the necessity of exercising great care for preserving the sacred books from being corrupted, that the gift of king's printer was bestowed, why, amidst all the variety and multiplicity of technical phraseology employed to secure the immunities, perquisites, fees, emoluments, liberties, profits, casualties, and other advantages of the patentee, with the power to assign his right to as many partners or substitutes as he chose, and to inflict penalties on every one who interfered with his gains, by bringing copies of what were called privileged books into the country, is there not in any one of all the grants, licenses, and patents, on record, a single word that implies that the typographer royal would lose the benefit of his grant, if he did not execute his office at all, or if he executed it in so unfaithful or imperfect a manner, as to reflect dishonour on the crown, as well as to inflict a grievous injury on his fellow-subjects? Nay more,—Did Mr. Kennedy not know that his native country had never been well supplied with Bibles from the King's printing office? Did he not know that Andrew Anderson had been appointed for *other weighty reasons*, ra-

ther than for his peculiar aptitude for the duty which he undertook? Did he not know that this man was nominated sole and absolute printer for Scotland, and that he was entrusted with a general supervision of all the presses in the kingdom, immediately after he had proved himself to be less worthy of confidence than any other printer in the land? Was it to be expected, that a man, who was constituted King's Printer for the long term of forty-one years, within three months after he had been convicted of having printed a New Testament, which was condemned by a Privy Council not over-scrupulous in such matters, would be deposed from his office for repeating a similar offence? Was it not notorious, that after a long interval, during which no Bibles were printed in Scotland, this fearless adventurer, who undertook to print all the books of divinity, law, education, and miscellaneous learning, necessary for a whole kingdom, was so little attentive to the printing of Bibles, that in more than five years he finished only two of a pocket size? And what man in public life could possibly be ignorant, that the glaring and inexcusable inaccuracies of Anderson's widow had been exposed to the Privy Council in numberless instances during the reigns of Charles II. James VII. William and Mary, and Queen Anne? Yet she never lost her patent, or incurred the royal

displeasure. And, as a proof of the little regard that was paid to qualifications or principle, in the selection of so important an officer, this very person, after the accession of George I. was appointed, along with another person, his Majesty's printer for Scotland, during an additional period of forty-one years, with all the powers and privileges which the King was supposed to be capable of delegating; and we may add, with an implied indemnity for all the offences which should not exceed in enormity those which had been committed under her former grant. From this period, it is melancholy to observe, how little regard was paid by these patentees to the proper discharge of their duty. Let any one look at the Bibles which were printed for thirty or forty years after this grant to Baskett and Campbell, and say if any of them are tolerable, with the exception of a few excellent editions by Watson, whom Baskett spared no efforts to crush.*

* Baskett was one of the greatest monopolists of Bibles who ever lived. He purchased a third part of the gift to Freebairn in 1711; and, in combination with Freebairn, afterwards represented the gift as void, and solicited a warrant for a new gift, for the purpose of annulling the right of Watson, the other partner, who printed much better than either of the other two. He failed in this attempt; but in 1716 obtained a commission as king's printer, in conjunction with the widow of Andrew Anderson. Before this time he received a license from the University of Oxford to print Bibles for twenty-one years, on condition of paying £200 a-year. He also bought the re-

It is difficult to enumerate the names of the various partners and assignees, or to say whose workmanship was the worst. For several years Baskett never fulfilled any of the articles of agreement, as

mainder of the thirty years of the patent granted to Thomas Newcomb and Henry Hills in 1709, and the remainder of another patent granted to B. Tooke and Alderman Barber in 1713. He received afterwards a new grant from George II. for sixty years, with the additional privilege of serving Parliament with stationary. In this manner Baskett's right would have endured from 1709 to 1799; but the last thirty years of this patent were conveyed to Charles Eyre and his heirs for £10,000. Eyre took possession of his reversion in 1769, and assumed William Strahan as his partner. When the term of this patent expired, a new one was granted to the same family. In this manner, if we are not mistaken, the patent of King's Printer for England has been transmitted through three families for a period of nearly three hundred years. It was bestowed on Christopher and Robert Barker about the year 1565, and continued in their family nearly a century and a half. It was secured by John Baskett for ninety years; and Eyre and Strahan have now enjoyed it twenty-five years in their own right, in addition to the thirty years purchased from Baskett. We do not consider the experience of the past as affording any encouragement to the continuance of this system. Baskett's lease, authorizing him to print Bibles and Books of Common Prayer, in part of the Clarendon printing-house at Oxford, granted soon after the erection of that building in 1712, must have been renewed; as his heirs continued to print there after the year 1760. During the early part of this period, Cambridge, which had gained much celebrity by the beautiful editions of Buck, Daniel, Field, and Hayes, attended very little to the printing of English Bibles. After the Revolution, their printer was Cornelius Crownfield, a Dutchman, of whose qualifications we happen to know nothing. The Stationers Company had a lease afterwards from that University.

We have some reason to think that the influence of Baskett frustrated a scheme which might have proved equally honourable and beneficial to the University of Cambridge. In the year 1730, William Ged, goldsmith in Edinburgh, the inventor of stereotype, or block-printing, in conjunction with William Fenner, stationer in

one of the sharers in the gift of Freebairn, and contented himself with sending into Scotland the Bibles which he printed at Oxford and in London, though he succeeded in obtaining an injunction

London, Thomas James, letter-founder, and John James, architect, applied to the University (at the suggestion of the Earl of Macclesfield,) for the privilege of printing Bibles and Prayer Books. Baskett having heard of the design, offered £500 more than the University had agreed to take from this Company; but at last, on a favourable representation from the syndicate, a lease was sealed by the senate, 23d April, 1731, in favour of the block-printers. If any credit be due to Ged's narrative, Baskett intrigued with the letter-founders, overseers, compositors and pressmen, who were all prevailed upon to make the work as bad as possible, to prevent the introduction of an invention which they apprehended would diminish the demand for human labour. After much expense had been incurred, the design was abandoned in consequence of the villany of the workmen; and Ged, the only partner who understood the business, retired to Scotland, where he printed an edition of *Scougal's Life of God in the Soul of Man*, and another of Sallust, *non typis mobilibus, ut vulgo fieri solet, sed tabellis seu laminis fusis*. He appears to have renewed his application to the University of Cambridge in 1742; but without success. Before the undertaking was finally dropped, it is said that 20,000 copies of a small prayer book of one line, and 10,000 of another prayer book of two columns, were printed off from Ged's plates; besides 10,000 copies of an octavo prayer book, one half from plates and the other from types, and 10,000 Bibles in the same manner. According to the account of Mr. Mores (in his Dissertation on Founders) "the compositors, when they corrected one fault, which was only to be done by perforation, made purposely half a dozen more, and the pressmen, when the masters were absent, battered the letter in aid of the compositors; in consequence of which base proceedings, the books were suppressed by authority, and condemned to *et piper et quicquid*, &c. and all the chandleries in Cambridge were full of James's Bibles, and the plates were sent to the King's printing-house, and from thence to Mr. Caslon's founding-house to be melted; an inspector standing at the furnace to see the order fully executed."—*See Memoirs of William Ged.* Lond. 1781.

from the Master of the Rolls to prevent the importation of Bibles printed in Scotland into England. No attempt appears ever to have been made by the other partners to exclude his Oxford or London Bibles from Scotland; but in the year 1725, when he set up a printing-house in Edinburgh, an action was brought against him by Brown and Mosman, the assignees to the right of Watson, for the purpose of stopping his work, on the ground that he had not qualified to accept the gift by taking the oath of abjuration within the time limited by law. As it was found by the Court of Session that he was under no obligation to take the oaths, he went on without interruption to print as well as to import Bibles; almost all the common editions at least being notoriously inferior to those of his predecessors. He printed two editions in Edinburgh in 1726, a quarto and an octavo, both exceedingly coarse; and his quarto edition of 1729 is miserable. In 1727, an indifferent octavo, with numerous marginal references, bears the names of John Mosman and William Brown, Printers to the King's Most Excellent Majesty, who printed a quarto in 1729, as coarse as Baskett's of the same year. Mosman and Brown, the assignees of the deceased James Watson, did not, by any means, rival him either in the beauty or the accuracy of their editions. About the same time very mean editions

were printed by Robert Freebairn, his Majesty's printer; who, though he had joined the standard of the Earl of Mar in 1715, and had printed proclamations against the government, was found to be entitled to resume the right, which, in the commission to Baskett and Campbell in 1716, he was declared to have forfeited.* His duodecimo edi-

* It is curious that Robert Freebairn should have been the fourth instance of a king's printer in Scotland having been charged with seditious or treasonable practices. Not one of the offenders lost his office. Lekprevik, whose crime was the slightest, was imprisoned; Waldegrave was found guilty, but no sentence followed; Evan Tyler having printed for the usurper against the king, was forfeited at Scoon, and declared a rebel by Charles II. in 1650, but he returned to his office at the restoration of Charles II. and printed acts of parliament, &c. till 1670. There is some mystery in the case of Freebairn, which it is not of much consequence to resolve. His was not the last instance. Lord Auchinleck, in his speech on the question of Literary Property, published by his son James Boswell in 1774, says, "The king has a right to print certain books, and he has his own printer; in the choice of whom great care ought to be taken, which is not always the case; for *I remember, in the year* 1745, *the same printer officiated for the King and for the Pretender.*"

Of these five printers, Freebairn was the only Scotsman.

"'Tis worthy to be observed (says Rae in his History of the Rebellion 1715) that, as that party had still *made lies their refuge*, so now, *Mr. Freebairn*, the king's printer at *Edinburgh*, being retired to *Perth*, and set up as the *Pretender's* printer there, with the instruments the rebels had brought out of the printing-house at *Aberdeen*, this Earl caused print and disperse *false news*, to keep up the spirit of the people, and to persuade the poor misled *Highlanders* to come down and assist him. And among other falsehoods he told them, *that their friends in and about* London, *had taken arms in such numbers, that King* George *had made a shift to retire.*"

Notwithstanding all this, and more than this, King George and his successors continued to employ Mr. Robert Freebairn and his *assigns* as printers, till the year 1752. The last of their works, we believe, were some acts of Parliament, printed in 1752.

tions, 1730, 1733, and 1737, had indeed the advantage of being printed with better ink, and on better paper, than have been used by most of his successors in printing Bibles of that size. His small octavo, 1736, with marginal references and notes, is much inferior to James Watson's of 1715, and even to Anderson's of 1676, both of which it resembles. Two or three editions, by Richard Watkins, as a favourite 24to. in 1743, and a well-known quarto printed in 1744, have a respectable appearance, but they are not models of correctness. * Adrian Watkins printed a great number,

* The Bibles of R. Watkins, so far as we have observed, are more correct than the common editions of Baskett, whose octavo, printed at London in 1742, contains innumerable errors. The following are taken from a few pages.

Matt. ix. 22. " thy faith hath made *me* whole," for *thee*.
xviii. 29. " pay *they* all," for *thee*.
xxvii. 50. " wherefore *at* thou come," for *art*.
Mark ii. 21. " the rent is *many* worse," for *made*.
John xvi. 8. " reprove the *word*," for *world*.
xvi. 24. " ask and *we* shall receive," for *ye*.
xvii. 2. " as to *many*," for *to as many*.
Rom. ii. 26. " shall the *deliver* come," for *deliverer*.
ii. 28. " *sake*" for *sakes*.
Phil. iii. 12. " *Now* as though I had," for *not* as though, &c.
1 Pet. iv. 11. " to whom *he* praise," for *be*.
Job xviii. 8. " *be* walketh," for *he* walketh.
xx. 3. " causeth me *no answer*," for *to answer*.
Isaiah i. 9. " *let* us a small remnant," for *left* us, &c.
iii. 9. " *then* soul," for *their* soul.
xii. 3. (The Lord is become my salvation) " therefore with joy *shall he draw water*," instead of *shall we draw water*.
xiii. 15. " Every one that *it* found," for *is* found.

some of them very indifferently, (as the duodecimo 1748,) and others not contemptibly, as the octavo, with numerous marginal references, printed in 1754. * The next patentee, Alexander Kincaid, never produced any thing that ranked above mediocrity, and some of his editions, particularly one in 1762, are described by those who have used them as being full of typographical blunders. The very best of the printers whom we have named were greatly inferior to such contemporary artists as Thomas Ruddiman, and Hamilton, Balfour and Neill, in Edinburgh, or Foulis and Urie in Glasgow; whose presses produced works fully equal to any that were published at that time in England. And surely other means might have been devised, which would have much more certainly provided against the printing of incorrect Bibles, than by appointing, for a lengthened period, a printer, or a company of printers, who might, at their discretion, transfer

Isaiah liii. 5. "*burised*" for *bruised*.
lxv. 6. "*since*" for *silence*.
Jer. v. 7. "*then* then," for *they* then.

Baskett's folio Bible, printed at Oxford in 1717, is distinguished by the name of the *Vinegar Bible*, in consequence of an error in the running title at Luke xxii.; where, instead of "the parable of the vineyard," the reading is, "the parable of the vinegar."

* Adrian Watkins, who succeeded Richard in 1747, seems to have printed nothing after the expiration of Baskett's patent. He was killed by lightning while walking in the fields, on Sunday, July 13, 1766.

their privilege to any number, and for any period, within the limits of their own commission. Queen Anne's Solicitor General appears, therefore, to have been somewhat inconsiderate in his *dictum* concerning the necessity of conferring an exclusive privilege upon a printer, that the sacred books might not be corrupted, and that the subjects might be secured from being led into errors.

If this gentleman was correct in saying, that the design of such a privilege is to guard against the corruption of the sacred books, it may easily be shown, that the provision is very incomplete. No translation, however excellent, and by whatever authority undertaken and approved, is to be considered as a standard in matters of faith. The doctrine of this National Church is well known to be, "That the Old Testament in Hebrew, and the New Testament in Greek, being immediately inspired by God, are authentical; so as, in all controversies of religion, the Church is finally to appeal unto them."* Now, if the King, in granting a patent to a printer, for publishing the Scriptures in the vulgar tongue, is actuated by the desire of securing them against corruption, might it not be expected, that he would provide for publishing them in the original languages, lest the ancient text

* Confession of Faith, chap. i. 8.

should be depraved by ignorant or heretical printers, and correctors of the press? But when was it ever known, that either the Old Testament in Hebrew, or the New Testament in Greek, was published by His Majesty's Printers for Scotland, even when they had the privilege of printing the Bible in all languages? Perhaps the undertaking was not sufficiently lucrative to encourage them to engage in it. But other printers, with far inferior advantages, and without any exclusive privilege, have been in the constant habit of printing the Greek New Testament, and some of them have done it exceedingly well, though accuracy, in this case, is not nearly so easily attained as in the case of the English Bible, the language of which is universally intelligible; and in this case, too, on account of the limited demand, and the variety of editions printed by every one who chooses, the profit must be inconsiderable.

In speaking of the time which succeeded the expiration of Mrs. Anderson's first patent, it would be injustice to an enterprising and ingenious man, to pass over in silence his neat and carefully executed editions of the Bible—some of which have never since been excelled. James Watson, who had a share of Freebairn's patent, printed Bibles in all the sizes ever known. Four or five editions of small sizes, printed in 1715, 1716, 1719, and

1722, are deservedly in great request. His folio Bible of 1722 is also much esteemed.* This man did

* The following are the principal editions printed by Watson. (1.) A quarto, printed 1714, produced in the House of Lords in the case between Mr. Watson and Mr. Baskett; not very correct. (2.) A small octavo, 1715, with engraved title-page, and the original marginal notes and references; well printed. (3.) A 24to. printed 1716. (4.) Another 24to. 1719. (5.) A third 24to. 1722. (6.) A folio, 1722. (7.) A small octavo, with notes and references, 1722, similar to the edition 1715, but inferior in appearance.

In 1712, Watson reprinted the Scottish Service Book of 1637, with the Psalms, translated by King James. This was not only an unauthorized, but a prohibited book. He also printed (very beautifully) the Book of Common Prayer, for the use of the Church of England. His edition of 1719 is finer than that of Freebairn in 1713; but this is also very well printed.

At this time many Prayer Books were sent from England into Scotland, by a Society, whose charitable contributions were managed by Dr. James and Dr. George Gordon, Mr. Greenshields, and other episcopalian clergy. From a recent communication by Alexander Thomson, Esq. of Banchory, to the Society of Antiquaries of Scotland, it appears that the Liturgy of the Church of England began to be used in the parish church of Banchory Devenick, Kincardineshire, on the 26th of October, 1712, and that "200 Books of Common Prayer, given to the minister out of the charity books sent from England to be distributed gratis," had been "given some weeks before among such of the parishioners as were capable to make use of them; as also a folio book for the minister, and a quarto for the clerk." How long this form of worship was permitted in that parish church, is not particularly mentioned. But though it was provided by law that no preacher be allowed to continue in the church, unless he actually observed the uniformity of worship, which by the Treaty of Union was to continue, without any alteration, in all succeeding generations, we may observe that the complaints of the intolerance of the presbyterian establishment cannot have been altogether well founded, if it be true that in March 1710 (more than twenty years after the Revolution) not fewer than 113 episcopal ministers enjoyed churches or benefices in Scotland, besides a great many others that preached in meeting-houses. This was before the act to prevent the disturbing of

not belong to the combination which was headed by Baskett; and, having been persecuted by his rivals, he was provoked to do his utmost to excel

those of the episcopal communion in Scotland. Numerous references from presbyteries on the subject of innovations in worship by episcopalian intruders, came before the General Assembly, as the case of Mr. Andrew Burnet, intruder into the Trinity Kirk of Aberdeen, Mr. David Henderwick, intruder in the College Kirk of Old Aberdeen, "where he set up the organs, which manner of worship was never in use in this church;" Mr. Alexander More, intruder into Fraserburgh, who "though he made use of the books of Common Prayer, yet passed over the prayers therein which concern the queen," &c.; but it does not appear that many of them were removed, except such as were found guilty of disaffection to the existing government. One of the disorderly clergy was Mr. David Freebairn (father of Robert Freebairn, printer,) who, notwithstanding his Jacobitical prejudices and other offensive peculiarities, was consecrated Bishop of Galloway, and appointed *primus* in 1722. He died Bishop of Edinburgh in 1739.—(See Keith's *Catalogue of the Scottish Bishops*, continued by Dr. M. Russell. Edinb. 1824. See also *Seasonable Warning* by the *Commission* of the *General Assembly* concerning the *danger* of *Popery*. 1713.)

In 1714, Dr. John Sharp, an episcopal minister, presented by King's College, took possession of the church of Old Machar, and performed the English service. For many years before this, the copies of the book of Common Prayer, sent from England, must have been very numerous. The following postscript to an episcopalian tract, entitled "*Some Seasonable Remarks* upon the *Seasonable Warning* by the *Commission* of the *Church of Scotland* concerning the *danger of Popery*," in 1713, may give an idea of the numbers circulated about the end of the year 1712. "P. S. We have received and distributed to the poorer sort of people in *Scotland*, sixteen thousand Common Prayer Books, which were bought with the money that was given for that end last Session of Parliament by the Lords and Commons; by which it will be found that that wise Parliament had much at heart the security of their church, and have given an additional strength to it, by the encouragement they gave to the propagating their *Liturgy* in *Scotland*. This will give the brethren

them. How much he surpassed them in the beauty of his work is obvious at first sight. But he was also incomparably more studious of accuracy than any of his contemporaries in the same office.

In the year 1717, the General Assembly instructed the Commission "to take the most effectual course to get the printing, vending, and importing

of the other side such work at home, that they'll not find leisure to march (as *formerly* over the *Tweed)* to reform their neighbours." In the answer to this paper, it is observed that "it sounds harsh to speak of the English service in Scotland; for it is the laws of *England* and Church Canons that make it the *English* Liturgy, and they never pretended to carry it farther than their own nation, but here there is no law for them, no appointment."—We may add, that the intentions of the noblemen and gentlemen who contributed for the prayer-books could not have been fulfilled if they had depended on an adequate supply from her Majesty's Printer in Scotland, at least before Freebairn's edition was published in 1713; and this, we believe, is the earliest Scottish edition of the English Liturgy.

At the same period, the Society in Scotland for Propagating Christian Knowledge was actively employed in circulating *Bibles, Confessions of Faith, Catechisms,* and other pious books. In looking at some of the old accounts, from 1709 to 1721, we observe that several purchases of Bibles, Catechisms, and Books of Proverbs, were made from the Queen's Printers in Edinburgh. The Confessions of Faith were all purchased from other booksellers, as well as a great number of *Bibles, Catechisms,* and *Proverbs.* The Bibles purchased from her Majesty's Printer were twenty-two pence each, and the Proverbs one shilling per dozen. The prices charged by Thomas Ferguson, bookseller, were twenty-one pence for each Bible, and eleven pence per dozen for the Book of Proverbs. We have not ascertained whether these Bibles were printed in England or Scotland; but we know that the Confessions of Faith were not printed at the royal press.

Many contributions of Bibles, &c. were furnished by individuals, and destined for the use of necessitous districts. For instance, the Earl of Mar, in 1713, sent 100 Bibles and 200 Psalm Books for the use of the schools and poor in the country of Mar.

of incorrect copies of the Holy Scriptures, and of our Confession of Faith, and Catechisms, stopped and prevented." The Commission having been informed that certain individuals, who had a design of printing the Confession of Faith and Catechisms, were desirous that some members might be appointed to oversee the printing, and grant their assistance, nominated a Committee for that effect. The desire had been expressed by James Watson and some of his friends; but it may be remarked, that the Church did not acknowledge him in his capacity of King's Printer, as having any right to print these standards.* The Confession and Catechisms here referred to were what are contained in the first volume of "A Collection of Confessions of Faith, Catechisms, Directories, Books of Discipline, &c. of public authority in the Church of Scotland," commonly known by the title of Dunlop's Confessions. It is stated in the minutes of the Commission, 1718, and in the preface to the work, that by the direction of the committee it had been freed from the errors that had crept into former editions. An enlarged committee was then appointed "to review and

* A similar collection was printed at Edinburgh by Thomas Lumisden and John Robertson, in 1725. It omits the Book of Common Order, the Palatine Catechism, and Calvin's Catechism; but it contains all the articles now considered as bearing public authority, and a few others not included in Dunlop's Collection, though they had been approved by the church.

correct the remaining parts of so important a work as a complete collection of books, publicly authorised, relating to the doctrine, worship, discipline, and government of this church. And the Commission being informed that James Watson, one of his Majesty's Printers, is earnestly desirous to use his utmost diligence and industry to have the Holy Scriptures printed pure and correct, and is willing to bind himself by the strictest engagements to print the Bible exactly, agreeable to a correct copy of it which this Commission shall order it to be regulated by; that therefore a proposal tending so much to the honour of religion, might meet with all due countenance and encouragement, the Commission appoints the above-named ministers and elders, with the utmost diligence and accuracy, to correct a copy of the English Bible, by taking exact notice of any mistake, either as to words and sentences, or the syllabication, and pointing, and amending it, which corrected copy they shall deliver to the said James Watson, that in exact agreeableness thereto, the Holy Scriptures may be freed from those errors which many former impressions of them are stained by, and be published in such purity and exactness as becomes the infinite importance and universal usefulness of these sacred oracles."

The Commission of the General Assembly, 1719, "Considering that the work of the foresaid Com-

mittee is not yet fully finished, and that it is fit that a proposal tending so much to the honour of religion as is the printing of the Holy Scriptures pure and correct, should meet with all due countenance and encouragement, renewed the instructions, directions, and powers given by the said former Commission to the foresaid persons, ministers, and elders."

It was thus that Watson's folio Bible, printed in 1722, attained the degree of accuracy for which it has been generally valued; and though it might have been improved, it is much to be regretted that similar appointments by the church have not been more frequently obeyed. The General Assembly has ever since that time made it part of their instructions to the Commission, "to take care that the impressions of the *Holy Scriptures*, the *Confession of Faith*, and *Catechisms*, and such books as are authorised by this Church, relating to the doctrine, worship, discipline, and government thereof, be correct; and give directions about printing the same."* Although this matter may not have been

* In the year 1722, among the instructions given to some of the members of the General Assembly, we observe the following: "that the Assembly take means to stop the *great numbers of incorrect Bibles* spread through the country." The Committee, to whose consideration these instructions were remitted, made the following note: "The Commission is instructed as to this." But the Commission seldom meets, except for the dispatch of urgent business; and for

altogether overlooked, it is not supposed to have occupied any particular attention. So lately, however, as the year 1793, the Synod of Glasgow and Ayr unanimously transmitted an overture to the General Assembly, of the following tenor: "Whereas it is notorious that the late common edition of the Bible is printed so imperfectly, and on such bad paper, as to be almost illegible, it is overtured that proper means be used that the Bible shall be printed in such a distinct manner, and on such paper, that it may be read with ease by the common people." When this overture was brought before the Assembly, a letter from the king's printer to the moderator was read, and specimens of a new edition of the common Bible were produced. The Assembly declared that it was their bounden duty to pay every attention to the printing of the Bible; but upon considering the letter from his Majesty's printer, and having viewed the specimens which were given in, they thought it unnecessary to proceed any farther in the matter at that time. Certain it is, that after that time, as well as before, the Bibles used in schools were printed so ill, that many pages had the appearance of being obliterated. The paper was said to be made of the refuse

many years past it has been extremely difficult to secure a *quorum*. Most of the instructions annually renewed may be regarded as a dead letter.

of cotton, and the substance had so little tenacity, that part of it often stuck to the face of the types. In point of correctness, too, there was much room for complaint. It has been reported that one bad impression at least was sent out of the country; but some of those which were circulated at home would have been a reproach to any people; and it must be admitted, that no school book would have been tolerated if printed in so wretched a style. Indeed, it cannot be denied, that the indistinct manner in which the Bible was printed for many years, contributed in no small degree to induce teachers to discontinue its use in schools; and thus at a time when infidelity was most industriously employed in deriding all that is sacred, and rejecting the evidence of things not seen, the youth of the country enjoyed fewer opportunities than heretofore of becoming familiar with the oracles of divine truth.* It

*During the greater part of the last century, children were generally taught to read in country schools, by using first the *Shorter Catechism*, then the *Proverbs*, afterwards the *New Testament*, and, lastly, the *Bible*. The New Testaments (as well as the Catechism and Proverbs) used in schools, were very commonly printed at Glasgow. The edition printed at Glasgow in 1737, by Alexander Carmichael and Alexander Millar in Company, and another in 1748, by John Robertson and Mrs. M'Lean in Company, appear to be correct as well as legible; only the supplied words are not distinguished.

As connected with this subject, the following act and resolution respecting the religious education of youth deserves to be quoted:— "*At Edinburgh, the 26th day of May*, 1794. The General Assembly of the Church of Scotland, taking into their serious consideration the

may be said, Could not the Bible have been imported from England? No doubt it could. But the English printers at that time furnished an inadequate supply of this kind of Bibles; and before the establishment of the Bible Societies, this traffic was not thought worthy of very great attention, as it was easy for the printers to occupy themselves in more lucrative work.

The Synod of Glasgow and Ayr did themselves the credit of again calling the attention of the church and the nation to this subject in the following overture.—"Ayr, 12th April, 1796. Whereas it was overtured by the Synod of Glasgow and Ayr, (April 1793) that the common edition of the Bible was inaccurately printed, and

growth of licentiousness, both in principle and practice; and being fully persuaded that this evil, wherever it prevails, is in a great measure to be ascribed to the neglect of the religious education of youth; and the Assembly being well informed, that the ancient and laudable practice of instructing youth in the principles of religion, by means of the holy Scriptures, and the Catechisms received and acknowledged by this Church, has been much neglected in many parochial and other English and Latin Schools, particularly in the cities and towns of this kingdom: Wherefore, the General Assembly being resolved, as far as in them lies, to provide a remedy for this evil; did, and hereby do, strictly require and enjoin, that all parochial schoolmasters, and other teachers of schools within this church, shall cause the Holy Bible to be read as a regular exercise in their several schools, by the children under their care. The General Assembly do moreover require and enjoin, that the Shorter Catechism, agreed upon by the Assembly of Divines at Westminster, and approved of by this church, shall be taught in all parochial and other schools; and that the children be required to commit this Catechism to memory, and by frequent repetition to fix it deep in their minds," &c.

in many parts illegible; and whereas the Assembly inquiring into this matter, had satisfying specimens laid before them of a new edition being in the press, and which it was by them understood was to be then soon published, agreeable to said specimens; and whereas it does not appear that his Majesty's printers have made any progress in said publication since that period, it is therefore humbly overtured to the ensuing General Assembly, that they inquire into the causes of such delay, and appoint said publication to be made with all convenient speed, or otherwise proceed in this business as they shall see cause." The Assembly dismissed this overture, "in respect that the important object mentioned in it has already been obtained by the printing and publication of a new edition of the Bible." The Assembly did not venture to declare that this new edition which appeared three years after it was understood to be ready, was either accurate or very legible. An edition, published in the course of that year, with Canne's notes, (of which copies may still be found in what is called the Old King's Warehouse, and in many booksellers shops,) presents to the eye one of the most disagreeable specimens of typography in the world; and is so far from being legible, that it is difficult to say whether it is correct or not. A common duodecimo Bible, published in 1795, and a pocket Bible in 1796,

though not so very bad, are but a few degrees better.

It is certainly not a little extraordinary, that, notwithstanding the prodigious demand for Bibles, there is scarcely any book of the least note, of which we have so few good editions, and so many bad ones, as the Bible. Of such classics as Livy, Horace, and Virgil, highly admired as they are, the number wanted must be a hundred fold less than the number of Bibles. It is easy to mention editions of these classics printed in this part of the island, which are not only beautiful, but almost faultless, and yet it would be esteemed an insufferable grievance if scholars could not import editions for which they happen to have a greater fancy. It is not incumbent on the Bible Societies, in representing the hardship with which they are at present threatened, to show that they could benefit themselves materially by importing English printed Bibles. In England, monopoly does not take place, and is not likely to do so; but even there the business is on an unsatisfactory footing, and has never yet attained the excellence of which it is susceptible. About the time we are speaking of, a London bookseller * says, "Neither the Universities of Oxford and Cambridge, nor the King's Printers at London, have distinguished themselves for their typographical exer-

* Lemoine's History of the Art of Printing, 1797.

tions in publishing a pocket Bible; an article very much wanted. The Cambridge Bible, in 24to. is too thick; the London Bible is upon bad paper; and nothing can be said in favour of the Oxford pocket Bible." The same author says elsewhere, speaking of editions undertaken by private individuals, "The emulation produced, and the consequence of the exercise of the liberal arts, has never manifested itself more of late years than in this article of Bible printing; while the two Universities, and the King's Printers have brought out nothing above mediocrity. It would have reflected honour upon their privileges and patents, had they exerted their superiority, and not left it to individuals to excel them in their own province." The author alludes not so much to the work of Macklin, which is exceedingly splendid, as to that of Baskerville, for the liberty of printing which he is said to have paid a considerable sum to the University of Cambridge; and the still more useful editions of Bishop Wilson, printed at Bath, and of Mr. Heptinstall, Mr. Bowyer, and Mr. Ritchie, printed at London, as well as the *cabinet and unique* Bible, Lond. 1791, and the Bible printed by Pine of Bristol, which Lemoine says is far preferable to that of Scatcherd and Whitaker, Lond. 1790.

The gentlemen who at present enjoy the patent in Scotland, are perhaps superior to any of their predecessors during the last century, with the exception of

James Watson. But it cannot be denied that much of this excellence is to be ascribed to the competing interests with which they have hitherto contended, and which they are so anxious to extinguish. And if, even while the competition exists, many of their editions are neither so good nor so cheap as similar editions published in England, (where, we must say, they are not in general so good or so cheap as they should be,) what may be expected if all rivalry were annihilated? or even if these individuals be incapable of degenerating, though they were to have the people of Scotland at their mercy, what security have we that their heirs and assignees, or the next patentees, may not be as sordid and selfish, and regardless of professional character, as the heirs of Andrew Anderson, printer to Charles the Second? And may we not retort one of the arguments contained in the Information for his Majesty's Printers? "It is easy to suppose that private individuals may, by some beneficial arrangement with the King's Printer, obtain leave to print Bibles. And there is no protection against an inundation of Bibles printed in the most incorrect and slovenly manner, and reduced, in all respects, to so imperfect a form as to be greatly injurious to the public."*

* We do not know if any thing is paid for the liberty of selling in Scotland various editions of the Bible, which are hawked throughout

The members of the Bible Societies do not admire the prudence of the attempt to interfere with their operations, which they are sure have hitherto been beneficial in the highest degree to every one engaged in the sale of Bibles. By their efforts to render the Sacred Volume more extensively esteemed and valued, they must have greatly increased the demand. They have, in the course of twenty years, done more than had been done in all the past ages of the church to furnish the means of reading the word of God to the inhabitants of the British empire, as well as to the people of almost every other land.* They have printed and circulated among the Highlanders, among the Irish, the Manks, and the Welsh, a greater number of copies of the Scriptures in the language of each of these tribes, than had been provided for the whole people of Scotland by all the

the country, and exposed in many of the shops; and we do not understand how printers, who have no drawback allowed on the paper, can undersell the king's printer.

* From March 7, 1804, to September 17, 1805, the British and Foreign Bible Society issued no books, as the Universities had not completed their stereotype editions. From September 1805 to March 31, 1823, (17½ years) their issue of Bibles and Testaments in Great Britain alone amounted to 3,151,837, and on the continent of Europe to 762,474. If we add the issue of the last year, we shall find the total not to be much less than four millions and a half. Besides this great circulation of the Scriptures by the parent society, other societies in connexion with it have printed above one million of copies of the whole sacred books, and about the same number of the New Tes-

monarchs of the House of Stewart, from the time of James IV. who first appointed a printer, to the Revolution in 1688.* Even the best of our kings

tament. In addition to numerous reprints of at least forty received versions, about 100 new translations have been executed, either wholly or in part, under the direction and at the expense of the British and Foreign Bible Society. The following are a few of the languages in which the greatest number of copies have been printed or purchased by the Society, previously to March 31, 1823.

English,	1,399,916 Bibles,	1,318,816 Testaments.
Welsh,	65,377	124,352 .....
Gaelic,	28,500	43,700 .....
Irish,	5000	17,801 .....
Manks,	5000	2250 .....
French,	57,500	189,000 .....
Spanish,	5000	75,000 .....
Portuguese,	10,000	35,000 .....
Italian,	18,000	27,000 .....
Dutch,	10,000	15,000 .....
German,	15,000	38,100 .....
Greek, ancient and modern,	———	13,000 .....
Greek, modern,	———	15,000 .....
Hebrew,	5250	3700 .....
Arabic,	4450	11,000 .....
Arabic Psalter,	3000	——— .....
Syriac,	———	6000 .....
Malay,	5000	10,000 .....
Ditto in Arabic character,	———	10,000 .....
Turkish,	———	5000 .....
Hindoostanee,	———	5000 .....
Ethiopic Psalter,	2100	——— .....

* The New Testament in *Gaelic* was never published till 1767. The Society in Scotland for Propagating Christian Knowledge published 31,000 copies before the end of the eighteenth century; and since the commencement of the nineteenth, they have published 45,000 Bibles and 30,000 Testaments. The British and Foreign Bible Society, within the last seventeen years, have published about 30,000 Gaelic Bibles, and 45,000 Gaelic Testaments. As to the Irish, 4000 Bibles and 3000 Testaments were published in that language in the seventeenth century, chiefly for the Highlands of Scotland. In the

have not done so much for the spiritual welfare of the interesting portion of their subjects now referred to.* The same societies have obtained impressions of the English Bible, greatly superior in

eighteenth century, two small editions of the Irish New Testament are said to have been published, one of them exclusively for the Highlanders. Since the year 1806, 2000 copies of the Gospels and Acts were printed by Dr. Stokes, and subsequently the British and Foreign Bible Society have published 5600 Bibles and 17,800 Testaments. All the others mentioned here were furnished by private individuals. Of the Welsh Scriptures, 800 Bibles and 800 Testaments were furnished by private individuals in the sixteenth century; and since that period 28,000 Bibles and 4000 Testaments have been contributed also by private individuals. Since the year 1718, *the Society for Promoting Christian Knowledge* have published 97,500 Bibles and 4000 Testaments. In seventeen years the British and Foreign Bible Society have published 65,377 Bibles and 124,352 Testaments. The *Manks* Scriptures were first published, in parts, by the *Society for Promoting Christian Knowledge;* and altogether about 6100 Bibles and Testaments have been furnished by that Society, and by private individuals since 1764. The British and Foreign Bible Society, since the year 1812, have published 7250 Bibles and Testaments in the Manks language.

* After the Revolution, great exertions were made in England to raise funds for the publication of the Scriptures in the Irish language, chiefly for the use of the Highlanders. In the year 1690, the agent for the church of Scotland received from London 3000 Irish Bibles, 1000 New Testaments, and 3000 Catechisms. The Lords of the Treasury in Scotland were authorized to give £1000 Scots (£83, 6s. 8d. Sterling) out of the vacant stipends of the churches of which the king is patron, for binding these Bibles. Other gifts from the king were applied by the General Assembly to purposes connected with the reformation of the Highlands. But in the reigns of William and Mary and Queen Anne, the Highlands were less indebted to the royal munificence, than to the good offices of private individuals and Christian associations. It is scarcely necessary to mention the Society in England for promoting Christian knowledge, the contributions in Edinburgh for the erection of Highland schools about the year 1701, and the liberal donation of more than £1200 Sterling by

utility to the generality of editions which were ever printed before. The societies in Scotland cannot afford to print separate editions, without great waste of their funds, a large proportion of which is considered as destined by the contributors to the promotion of foreign objects. They know, too, that several beneficial regulations established for the printers of the Bible in England have never been enforced on the king's printers for Scotland. For instance, when complaint was made to George I. that the Bibles in the time of Baskett were printed on bad paper and with bad letter; that due

nearly two hundred individuals in England, towards the establishment of libraries in the Highlands. The queen was pleased to give £120 Sterling from the revenue of Scotland, to defray the charge of conveying the books from London; and thus in the year 1705, *nineteen* presbyterial libraries, and *fifty-eight* parochial libraries were formed in the Highlands. Considerable additions were made to these libraries in subsequent years. It is melancholy to reflect on the sudden disappearance of most of these useful repositories of piety and learning. The titles of the books, and the manner in which they were disposed, are recorded in the registers of the church. We observe among them numerous copies of the Scriptures in various languages, Hebrew, Greek, Syriac, Latin, French, &c. and particularly of different editions of King James's translation, all printed in London, from the folio 1611 to the quarto of 1702, of which last edition many copies were sent. All these books were destined to the use of ministers, preachers, and schoolmasters. In looking at the catalogue, we have noticed nearly fifty editions of the Scriptures, not one of them printed in Scotland.

In 1725, George I. gave £1000, to be applied by the General Assembly for the reformation of the Highlands and Islands. This *Royal Bounty* has been annually repeated ever since, and of late years has been doubled. By an act of Parliament passed in 1718, it was provided that £20,000, arising from the sale of forfeited estates, should be appropriated towards erecting and maintaining schools in the Highlands; but this grant appears never to have been made effectual.

care was not used in correcting the press, and that the books were sold at unreasonable prices; His Majesty issued an order, (dated Whitehall, 24th April, 1724,) that all Bibles shall be printed on paper as good as the specimens, of which four copies were to be delivered; also that the patentees shall employ such correctors of the press, and allow them such salaries as shall be approved of from time to time by the Archbishop of Canterbury and the Bishop of London, and that they shall print on the title page of each book the exact price at which each book is to be sold to the booksellers. Such a regulation must have proved advantageous both to the booksellers and to the public, and whether it may have been uniformly observed or not, it is a satisfaction to the people of England to know that it is binding. If any part of it applied to Scotland, it is certain that the most essential clauses in the order have not been put in practice. The prices of the Bibles printed in Scotland have not been impressed on the title pages, and correctors of the press have not been appointed with the approbation of any ecclesiastical authority; for the Archbishop of Canterbury and the Bishop of London, having no jurisdiction on this side of the Tweed, would not have been the only names inserted in the order if it had extended beyond the kingdom of England.

Surely it will not be insinuated that the order was not extended to Scotland, because the Bibles had been printed in so perfect a manner in Scotland as never to have given occasion to any complaint. No complaint may have reached the throne or the council-board, but it does not follow that no cause of complaint existed. The complaints had been frequent and loud, but the government had never given any effectual redress to the grievances which were again and again brought under the view of the Privy Council of Scotland. This neglect of the public interest is not to be attributed to the temporary prevalence of any undue influence during a particular reign. It is chargeable almost equally on every successive administration, from the restoration of Charles II. to the accession of George II.

We are anxious to give all due praise to the editions of the Bible which have of late been published in Scotland, and we own that they are, in general, improved in their appearance within the last fifteen years.* But we do not think them

* We do not hesitate to say, however, that some Edinburgh editions in duodecimo, printed about 1808 and 1809, are very nearly as illegible as those which were so much complained of in the year 1793. The paper was not perhaps so very coarse, but the ink was as bad; and in all respects these Bibles were so inferior to those which were printed for the British and Foreign Bible Society in 1809, that the Edinburgh Bible Society instituted at that time, though they would have been glad to find, in their own city, a supply of Bibles for home

nearly so correct as they ought to be; and we could point out various mistakes in a considerable number of them, and some of them mistakes of no small importance. We have every reason to believe that his Majesty's printers receive with gratitude every communication which enables them to correct an error, however minute; and in this respect we understand that they are more deserving of public confidence than some of the privileged printers, whose successful efforts to exclude from the English market Bibles printed in Scotland, must be regarded as the origin of this ominous act of retaliation on the part of His Majesty's printers for Scotland. We cannot bestow unreserved commendation on the Bible of Messrs. Eyre and Strahan. Some even of the stereotype editions, printed for the British and Foreign Bible Society, have admitted a few literal errors. The English universities do not print Bibles nearly so well as they print some other books; and unless some stricter regulations shall be enforced, they cannot be expected to print them better now, after they have succeeded in excluding from England the Bibles of one of their rivals. Still, however, they are fully

distribution, had no other alternative than to go to the English market. The English Bibles which they circulated at first were all stereotyped at the press of the university of Cambridge, with the exception of one pocket edition printed at Edinburgh, which was considered to be good and cheap.

equal to most of our Scottish editions, the errata of which we do not wish invidiously to point out, though we think it is incumbent upon us to take notice of a few, to show what may be expected if all competition shall be prevented. In a quarto edition, (printed by Mark and Charles Kerr, in 1791,) we observe the 33d verse of the 119th Psalm printed thus: "Make me *not* to go in the way of thy commandments." In two quarto editions, 1811 and 1814, "the blast of the terrible ones is as a *stone* against the wall," instead of a *storm.* * In a New Testament, printed in a large type in 1816, instead of "let all things be done decently" (1 Cor. xiv. 40,) the text is printed "let all *tongues* be done decently." In a very pretty pocket Bible, printed in 1816, Acts i. 14, we find, "Mary the mother of *James,*" for "Mary the mother of *Jesus.* †" An octavo Bible, printed in 1806, contains many errors, of which the following is a specimen: *we* looketh, for *he,* (Numb. xxi. 8.) *This fellows* for *his fellows,*

* The Psalms of one of these editions contain the following error: Psalm liii. 1.

They are corrupt, their works are vile,
That one of them doth good,

Instead of

Not one of them doth good.

† In an English edition, the more indecent error of substituting the name of *Judas* for *Jesus,* is said to have been committed. But this we have not seen.

(Dan. vii. 20.) *they pomp*, instead of *thy pomp*, (Isa. xiv. 11.) *te king* instead of *the king*, (Isa. xxxvi. 2.) *Moanites* for *Moabites*, (Judges x. 12.) *Son of men* for *Son of man*, (Ez. xii. 18.) *Michael* for *Michal*, (1 Chron. xv.) *thy faith had* for *hath*, (Mark v. 34.) *after Esther* for *after Easter*, (Acts xii. 4.) In two editions, both printed in 1818, we cannot turn the first leaf of the New Testament, without perceiving at least one error in each. In one we find, *he saw the Spirit of God descending live* (instead of *like) a dove;* and in the other, *he saw the Spirit of God descending like a dove, and fighting* (instead of *lighting) upon him.* We know of several mistakes in a later edition, some of which we believe have been corrected as soon as they were pointed out; but by greater care they might have been avoided. And whether these errors be in general of such magnitude, as to deserve exemplary punishment or not, we are sure that they would have been sufficient to depreciate the value of an edition of Cæsar's Commentaries, or Ovid's Metamorphoses. We cannot divine with what remedy the public are to be favoured, if they shall be precluded from exercising their accustomed right, enjoyed from time immemorial, of punishing a careless editor or printer of the Scriptures, by purchasing editions more worthy of their

approbation, and leaving the unmarketable goods in the hands of the manufacturer.

In reality, the mode of printing the Bible in Scotland, whether well or ill executed, has been under worse regulation during the last century than it had been originally. When the first edition was undertaken by Arbuthnot and Bassandyne, the printers proposed and acted upon conditions the same in their effect with those which were afterwards prescribed in England by George I. A price was fixed, which appeared reasonable to the church, —the authentic copy was received from the church, and the church also appointed correctors. This great anxiety to attain accuracy, affords no presumption that the church would have been disposed to exclude Bibles from the country which were not revised in the same manner. It would have been a matter of conscience with them to correct the work faithfully, although not a single copy had been destined for the use of their countrymen. They would have considered themselves guilty of disseminating error, if they had suffered any part of the sacred oracles to go forth into the world in a state of incorrectness. With regard to such copies as they imported, they might generally be able to fall upon some method of ascertaining the quality of the editions. And if, at any time, difficulties attended the importation from a coun-

try which was sometimes hostile, it was the more necessary to exercise the most scrupulous vigilance with regard to the correctness of the comparatively few copies which were printed at home, as it might often happen that no opportunity was afforded to the possessors of an incorrect edition to rectify it by another.

The necessity for practising some such regulation has not ceased. If importation were ever so free, and if the English editions of the Bible were much more decidedly preferable than they are, we may be assured, that, as long as Bibles are printed in Scotland, (as we trust they will never cease to be,) they will find purchasers; and if they are dispersed among the population with material errors imbodied in them, it is impossible to calculate how much the cause of truth may suffer. It would not be enough to excuse those who have the power of correcting, that the people have opportunities of procuring unexceptionable copies if they choose. Many people would look no farther than the quality of the paper and print; and an edition must be read by persons of intelligence and principle before its character can be known. It is of vast consequence, therefore, that, though the traffic be perfectly free, the greatest care shall be taken to prevent any edition from being published before it has been duly examined.

It was our intention to make some remarks on the points referred to in the Bill of Suspension, as having been at first maintained, and afterwards given up, by the booksellers. We do not subscribe to those concessions, said to have been made on the part of the booksellers; and some of them have already been incidentally discussed.

On the alleged origin of the Crown's prerogative we must be permitted to offer a few observations. This, it is said by his Majesty's Printers, is admitted to be the same in Scotland as in England; and they refer, in their different papers, to the opinion of two English judges, namely, Mr. Justice Yates, and Lord Chief Baron Skinner. These opinions are quoted as follows:

In the famous case of Miller *v.* Taylor, Mr. Justice Yates thus explains the Crown's prerogative, as to printing the Bible. 'The grand argument that was drawn from these injunctions [injunctions upon grants and patents from the Crown, for the sole printing of what are called *prerogative* copies] is this, that there are certain books, such as the Bible, Common Prayer Book, Acts of Parliament, and the like, which are usually called *prerogative* copies, which the Crown has the sole right of publishing; and if the King may have a legal property in these, there is no reason why private authors may not claim a sole right in their own compositions.—That there is such a right in the Crown, is undoubtedly true; but this is confined to compositions of a particular nature; and to me seems to stand upon principles entirely different from the claim of an author. It is not from any pretence of dominion over printing that this prerogative right is derived; for the Crown has certainly no right of control over the press. But it is to particular

copies that this right does extend; and as no other person is permitted to publish them, without authority from the Crown, the King is said to have a property in them. This kind of property has the additional distinction of prerogative property. The right is grounded on another foundation, and is founded upon a distinction that cannot exist in common property, and in the case of a subject. The books are Bibles, Common Prayer Books, and all extracts from them, (such as Primers, Psalters, Psalms,) and Almanacks. These have relation to the national religion or government, or the political constitution. Other publications, to which the King's right of publication extends, are the statutes, acts of parliament, and state papers. The king's right to all these is as the Head of the Church, and of the political constitution."

These maxims, (say his Majesty's printers,) apply to Scotland equally as to England; for though, in one sense, the King of Scotland is not the Spiritual Head of the Presbyterian Church, and has no direct control over it in matters of doctrine and discipline, still he is empowered and enjoined, by various acts of parliament, and the Confession of Faith, to exercise very extensive powers in calling General Assemblies of the Church, in acting as its political head and protector, and in suppressing heresy and schism.

To the same effect as the foregoing opinion of Mr. Justice Yates, the judgment of the Court of Exchequer was delivered in the case of Eyre and Strahan *v.* Carnan, in the year 1781, by Lord Chief Baron Skinner. His Lordship observes, as to the privilege of printing the Bible, "The privilege of the patentee has in fact been always executed with the exclusion of all other printers. It is, therefore, in consideration of law, a monopoly; but it is a monopoly supported by long usage, and standing upon very special grounds of necessity and public utility: for it is of manifest public utility to place in proper hands the right of such publications, as well upon account of the special care and superintendence which a trust of such importance necessarily requires, as because the exclusive right of doing or authorising any acts, in which the public is interested, implies an obligation to exercise that right in such a manner as to answer the purposes for which it was

given; and, consequently, the right now in question imposes upon the Crown an obligation to publish and disperse as many books of divine service as the interest of religion and the demands of the public require. It appears, then, that the right claimed by the plaintiffs, under the grant to John Baskett, is founded in public convenience, is supported by long usage, and that it has been acknowledged by the unanimous opinions of all the Judges. Under such circumstances, we think, it is not now to be considered as a doubtful right."

Here we must be permitted to observe, that, if such an obligation be imposed upon the Crown of Scotland as is here stated to be imposed on the Crown of England, it would be desirable to know what redress the subjects are to procure, if the right of the Crown be not exercised in such a manner as to answer the purposes for which it was given? Is it to depend on the discretion of the Crown, or of the officer to whom the Crown is said to convey its whole powers, for one or two generations, Whether the people are to have Bibles at all, or in what form they are to be printed? And how are the demands of the public to be satisfied if the Crown (as has formerly happened) shall think fit to appoint no printer for this purpose in Scotland, and leave the people to be supplied from England, or any where else as they best can? Is it in the power of the Crown to prevent a new translation of the Scriptures from being published by any individual or association, by whose labours it may be executed? And if new translations may be pub-

lished, and have been frequently published, by printers having no patents, where is the security that the text shall be preserved by the power of the Crown from all risk of being corrupted? If, on the other hand, the King's Printers shall insist on printing all varieties of translations, how are the unlearned to know which is the pure text, and which the corrupt? as in that case his Majesty would condescend, with inconsistent facility, to give equal countenance to every mode of faith, and every shade of religious opinion, as being a form of sound words; so that all who looked up to the Sovereign as the guardian of orthodox belief, would be carried about with divers and strange doctrines.

But it is more to our purpose at present to observe, that, though all the judges in England may have been unanimous, with regard to the existence of a right in the English Crown to publish what are called prerogative copies, they have not been all agreed with respect to the description of works included in this title, and much less have they been agreed with respect to the origin of the Crown's prerogative. With respect to the calendar, it was found in the case of the Stationers' Company against Carnan,—a case stated out of *Chancery* for the opinion of the Court of *Common Pleas*, (Blackst. *Reports*, 1004,) that the Crown had no prerogative or power to make such a grant

to the plaintiffs exclusive of any other; and it is difficult to perceive on what grounds this decision proceeded, if it was not on the argument for the defendants, that the Crown was not at the expense of making the calendar as it was of translating the Bible.* Mr. Justice Yates, however, included the Calendar (or *Almanack*, which is the same thing) in the number of prerogative copies, as being an extract from the Common Prayer Book, and, in support of his opinion, quoted several cases, which seem to have been considered afterwards by the Court of Common Pleas as unworthy of notice; as, for instance, the case of the *Stationers' Company* against

* In this case it was argued for the Plaintiffs that the regulation of time is a matter of state,—that the Calendar cannot be altered but by act of Parliament,—that Almanacks are parts of an act of Parliament,—that the trial by almanack is a known mode of trial at common law, and the almanack printed by authority is the only one the Court could refer to.—It was answered for the *defendant*, That, as to their authenticity, none of the cases showed that the Court was bound by the almanack, in case it were erroneous—but, if authentic, it did not follow that the King had a power to limit the right of printing it, any more than he has a power, because the London Gazette is authentic, to prevent other printers from printing other newspapers. "Their whole authority (it was added) depends on their correctness. The way to make them correct, is to permit an emulation and rivalship. Those printed by the Company are shamefully incorrect. For instance, in *Rider's* Almanack for this year (1775,) *Plow-Monday* is said to happen on *Saturday* the 7th of *January*. The advertisement prefixed to *Poor Robin* is exceedingly immodest and indecent, and could never have passed under the revision of the Reverend Prelates (the Archbishop of Canterbury and the Bishop of London) named in the patent."

Partridge, which *was never determined*, and the case of the *Stationers' Company* against *Seymour*, which was determined *in the days of high prerogative*, soon after the licensing act, but no solid grounds of true prerogative were stated in the case.

But with regard to the origin of the Crown's prerogative, how few of the Judges have expressed the same opinion with Mr. Justice Yates. Most of them have given a judgment which would deprive the Crown of Scotland of an exclusive right to appoint any one to print the present version of the Scriptures.

Thus Mr. Justice Willes quotes Lord Hardwicke, as saying in the case of *Tonson* v. *Walker and Merchant*,

" Distinctions are taken upon the ground of the king's property in Bibles, Latin Grammars, Common-Prayer, and Year-Books; that they were made and published at the expense of the crown; *ergo* the king's property. These arguments being allowed to support that right, infer such a property existing." —Mr. Justice Willes then adds, " Lord Hardwicke laid great stress on the argument made use of to support crown copies, as presuming the property of authors. That argument has since prevailed: and it has been since solemnly adjudged, 'that there are copies of which the king is proprietor.'"—This court had no idea that the king, by prerogative, had any power to restrain printing, which is a trade and manufacture; or to grant an exclusive privilege of printing any book whatsoever; except as a subject might, by reason of the copy being his property.—The Court agreed with Mr. Justice Powell, who said, in the case of the Stationers' Company *v.* Partridge, " You must show some property in the crown, and bring it within

the case of the Common Prayer Book." Mr. Yorke argued it upon this ground.—It is settled, then, "that the king is owner of the copies of all books or writings which he had the sole right originally to publish; as Acts of Parliament, Orders of Council, Proclamations, the Common Prayer Book." These and such like are his own works, as he represents the state. So likewise, where by purchase he had the right originally to publish; as the Latin Grammar, the Year Books, &c. And in these last cases the property of the crown stands exactly on the same footing as private copy-right: As to the Year Books, because the crown was at the expense of taking the notes; and as to the Latin Grammar, because it paid for the compiling and publishing it. The right of the crown to these books is independent of every prerogative idea."—Mr. Justice Willes afterwards observes, "I can not distinguish between the king and an author. I disclaim any idea that the king has the least control over the press, but what arises from his property in the copy."

Mr. Justice Aston (in the same cause) said,

"In the Stationers' Company *v.* Partridge, it seems that the crown's sole or original right to publish was founded in property. In 3 Mod. 75—that the property vests in the king, where no individual person can claim a property in the thing. This argument shows that Pemberton thought he could rest the case and the right of the crown upon property only: For here, to get at such ground, the argument is far-fetched and misapplied; because, in a case of this kind, if there is no private property, it would not belong to the king, but be common, like animals *ferœ naturœ*, or air, water, or the like. And the case of Baskett and the University of Cambridge is a solemn well-considered determination upon the ground of the original right of publication belonging to the king."

Lord Chief Justice Mansfield concurred in the opinions of Justices Willes and Aston, and said,

"The king has no property in the art of printing. The king has no authority to restrain the press, on account of the

subject-matter upon which the author writes, or his manner of treating it. The king can not, by law, grant an exclusive privilege to print any book which does not belong to himself. Crown copies are, as in the case of an author, civil property: which is deduced, as in the case of an author, from the king's right of original publication. The kind of property in the crown, or a patentee from the crown, is just the same; incorporeal, incapable of violation but by a civil injury, and only to be vindicated by the same remedy, an action upon the case, or a bill in equity. There were no questions in Westminster-hall, before the Restoration, as to crown copies. The reason is very obvious: It will occur to every one that hears me. The fact, however, is so: There were none before the Restoration. Upon every patent which has been litigated since, the counsel for the patentee, (whatever else might be thrown out, or whatever encouragement they might have, between the Restoration and Revolution, to throw out notions of power and prerogative,) have tortured their invention to stand upon property. Upon Rolle's Abridgment, they argued from the Year Books, which are there abridged, 'that the Year Books having been compiled at the king's expense, were the king's property, and therefore the printing of them belonged to his patentee.' Upon Croke's Reports, they contended, 'that the king paid the judges who made the decisions: *Ergo*, the decisions were his.' The Judges of Westminster-hall thought they belonged to the author; that is, to the purchaser from, or the executor of, the author: But, so far the controversy turned upon property. In Seymour's case, 1 Mod. 256, (who printed Gadbury's Almanac, without leave of the Stationers' Company, who had a patent for the sole printing of Almanacs,) Pemberton resorted to property. He argued, (besides arguing from the prerogative,) 'that an Almanac has no certain author: Therefore the king has the property; and, by consequence, may grant his property.' It was far-fetched; and, it is truly said, 'that the consequence did not follow.' For, if there was no certain author, the property would not be the king's, but common. Pemberton was a very able lawyer, and saw the necessity of getting at property if he could make it out.—All the decrees in Chancery, and the judgments at common law upon Almanacs, are now out of the case,

and all the doctrine of prerogative rejected, by what was done in the case of the Stationers' Company and Partridge.—It came on, in the year 1709, before Lord Cowper, on continuing the injunction. There is no report of it, I believe, in print; at least I have not seen any. I have read the bill and answer. The bill puts it upon all the prerogative notions of power; and insists, that the king's patentee had a sole exclusive right of printing Almanacs. The answer insists, that these were extravagant illegal notions; that they were taken up at times when the prerogative ran high, and when the dispensing power was allowed: And it insists, that the question ought, since the revolution, to be argued upon proper principles, consistent with the rights and privileges of the subject. The defendants denied the authority of all the cases stated by the bill, as far as they went upon prerogative right. Lord Cowper continued the injunction till hearing. I have office copies of all the orders and pleas that were cited; I dare say I have thirty or forty of them. It appears that these decrees were all read, and that the judgment of the House of Lords was read and gone through. Lord Harcourt afterwards heard the cause. He did not choose, in a case about Almanacs, to decide upon prerogative. He therefore made a case of it, for the opinion of this Court, Lord Parker being then Chief Justice. This Court, so far as it went, inclined against the right of the crown in Almanacs. But, to this hour, it has never been determined; and the injunction granted by Lord Cowper still continues. I have Salkeld's manuscript report (and have had it many years) of what passed in this court in the course of the argument of this case of the Company of Stationers against Partridge. I do not know whether it is got into print; I have not seen it in print. Mr. Yorke had a copy of it when he argued the case of the University of Cambridge and Baskett. Mr. Salkeld argued for the defendant Partridge; Sir Peter King for the plaintiffs. I will state to you, so far as is material to the argument, how they put it, and the only grounds that they thought tenable. Mr. Salkeld, after positively and expressly denying any prerogative in the crown over the press, or any power to grant any exclusive privilege, says, 'I take the rule in all these cases to be, that where the crown has a property or right of copy, the king may grant it.

The crown may grant the sole printing of *Bibles in the English translation*, because it was made at *the king's charge*. The same reason holds as to the Statutes, Year Books, and Common Prayer Books.'—Sir Peter King, for the plaintiffs, argues thus, (throwing out, at the same time, the things that I have already mentioned, though he don't seem to be very serious in it,) 'I argue, that *if* the crown has a right to the Common Prayer Book, it has a right to *every part* of it. And the Calendar is a part of the Common Prayer Book. And an Almanac is the same thing with the Calendar,' &c.—Mr. Justice Powell says, 'You must distinguish this from the common cases of monopolies; by showing some *property* in the crown, and bringing it within the case of the Common Prayer Book.' And he rather inclined to think 'that Almanacks might be the King's, because there is a *trial by Almanacks*.' To which Lord Parker replied, 'that he never heard of such a thing as a trial by Almanack.' They leave it upon this. It stood over for another argument, to see if they could make it like the case of the Common Prayer Book. I don't know what happened afterwards: but there never was any judgment; and though I have made strict inquiry, I don't find that there was ever any opinion given.

"I heard Lord Hardwicke say what Mr. Justice Willes has quoted, as to these arguments from property in support of the *king's* right, necessarily inferring an *author's*. The case of Baskett and the University of Cambridge was then depending in this Court, when Lord Hardwicke made use of that expression or argument: It has since been determined. We had no idea of any *prerogative* in the crown over the press, or of any power to restrain it by *exclusive* privileges: or of any power to control the subject matter on which a man might write, or the manner in which he might treat it. We rested upon *property* from the king's *right of original publication*. Acts of Parliament are the works of the *legislature*, and the publication of them has always belonged to the king as the *executive* part, and as the *head and sovereign*.—The art of printing has only varied the mode. And, though printing be within legal memory, we thought the usage since the invention of printing very material. Whoever looks into Mr. Yorke's argument, upon which the opinion of the court in that case in a great measure went, (I do

not say throughout, but in a great measure,) will see the great pains he takes to show the original property in the crown.

"The copy of the *Hebrew* Bible, the *Greek* Testament, or the *Septuagint*, does not belong to the king; it is *common*. But the *English* translation he *bought*; therefore it has been concluded to be *his property*. If any man should turn the Psalms, or the writings of Solomon or Job into verse, the king could not stop the printing or sale of such a work; it is the author's work. The king has no power or control over the subject matter; his power rests in *property*. His whole right rests upon the foundation of *property in the copy* by the *common law*. What other ground can there be for the king's having a property in the Latin Grammar, (which is one of his ancientest copies,) than that it was originally composed at *his expense?*"

The judgment of the Court of King's Bench in this case, finding that literary property is perpetual, came under the review of the House of Lords in the discussion of the Appeal from a decree in Chancery, in the case of *Donaldson v. Becket*, founded on that judgment. The general principles expressed by Lord Mansfield were not affected by the final decision of the cause in the House of Lords, which proceeded upon the construction of the copyright act. Three questions were submitted by the Lords to the twelve judges; Lord Mansfield did not give an opinion, as the judgment under consideration had been pronounced by himself. Of *eleven* judges, it was the opinion of *eight* to *three* that, at common law, an author of any book had the sole right of first printing it for sale, and might bring an action against any person

printing it without his consent; of *seven* to *four*, that the law did not take away his right upon his printing and publishing such book, and that no person might reprint and sell it against his will; and of *six* to *five*, that such action, at common law, against any one reprinting against an author's will, has been taken away by the statute of 8th Anne; so that he is precluded from every remedy except on the foundation of that statute. Lord Mansfield was known to have agreed with the *eight* on the first question; with the *seven* on the second; and with the *five* on the third question; on which the judgment of the Court of King's Bench had rested. On this last point there was, in fact, an equality of opinions. But the principles maintained by Lord Mansfield on the subject of literary property, which had been opposed by Mr. Justice Yates, were supported by a great majority of the twelve judges. And after this decision of the House of Lords, we find Sir William Blackstone, one of the judges whose opinion was given in the cause, still delivering it as law, that the King's prerogative copyright rests on the grounds assigned by Lord Mansfield, and the other judges in the Court of King's Bench, with the exception of Mr. Justice Yates.

"There is," says he, "also a kind of prerogative *copyright* subsisting in certain books, which is held to be vested in the Crown upon different reasons,

Thus, 1. The king, as the executive magistrates has the right of promulging to the people all acts of state and government. This gives him the exclusive privilege of printing, at his own press, or that of his grantees, all *acts of parliament, proclamations,* and *orders of council.* 2. As supreme head of the church, he hath a right to the publication of all *liturgies* and books of *divine service.* 3. He is also said to have a right, by purchase, to the copies of such *law books, grammars,* and other compositions, as were compiled or translated at the expense of the Crown. And upon these two last principles combined, the exclusive right of printing the translation of the *Bible* is founded."

It may not be improper simply to mention the case of *Baskett* against the *University* of *Cambridge.* (Blackst. 105.) Mr. Solicitor-General Yorke, whose argument is referred to by Lord Mansfield, as that upon which the opinion of the Court in a great measure went, states that the King has no power, at common law, over the art of printing; but he has several copyrights by prerogative, " 1. Of all acts of state to promulge them to the people. 2. *Since the supremacy has been established,* of all books of the rites and services of the church. 3. The translation of the great *English* Bible under *Grafton* was *performed at the King's expense,* which gave him another kind *of right.* 4. So the Year-

books, taken at the expense of the Crown, gave the king a property by purchase. Thus was *Seymour's* case, 1 Mod. 256, argued by Serjeant Pemberton; and it is the only rational way of treating the subject." On the exclusive right to print these copies, said to be incident to, and inherent in the office of King's Printer, he says "The law knows no such officer by prescription, nor by act of Parliament; it will not therefore protect him, and say that the King (who made him) shall not grant the same concurrent privilege to another. Supposing printership to be an office, the King may name as many printers as he pleases." Upon the head of usage, which is to be regarded as the exposition of time, he asks, "Have the King's Printers excluded all others? History will inform us to the contrary. Nay, statutes printed by others are now to be purchased. In 19 Henry VII. *Bertholet* was the King's Printer; but there are statutes of that date printed by *Wynkyn de Worde* and others. In 1553, the statutes are printed by *Grafton*, though *Bertholet* was then alive, and *Grafton's* patent did not take effect till Bertholet's death. So, in later times, the law patentees have exercised a concurrent right with the King's Printer." In support of the University's right to print Acts of Parliament, &c. Mr. Yorke says farther, "As to inconvenience to

the public, none can arise by allowing two or three concurrent rights. An emulation will be excited, which will probably produce *correcter*, as well as *cheaper* editions; *for several editions by the King's Printer are so incorrect, that the record has been frequently resorted to, to guard against the infidelity of the copy. The public then will be advantaged by it, and a dangerous monopoly overthrown*, which construction is the most consistent with law and reason."

Mr. Solicitor Yorke's arguments prevailed,—and the Court of King's Bench certified into Chancery the unanimous opinion of the judges, that "the Chancellor, Masters, and Scholars of the University of Cambridge, *are* INTRUSTED, *with a concurrent authority*, to print acts of Parliament, and abridgments of acts of Parliament, within the said university." Mr. Justice Foster, in a letter to a friend at Oxford, (Dec. 11, 1758,) mentioned that the words *intrusted with a concurrent testimony* were thrown in by way of an intimation to the university, that the Court considered the powers given by the letters patent, as a trust reposed in that learned body, for public benefit, for the advancement of literature, and not to be transferred upon lucrative views to other hands. He added, "I hope both the universities will always consider the royal

grants in that light."* This case is mentioned here, to show that the opinions of Mr. Justice Yates, concerning the origin of his Majesty's prerogative, have not been universally received by English lawyers; and also that an exclusive right, vested in an individual, has not been found in England, any more than in Scotland, to insure *correctness*, which his Majesty's printers wish to be believed is the real object of the patent.

His Majesty's Printer for England has a patent, giving him a right to print all Bibles and New Testaments whatsoever in the English tongue, or in any other tongue whatsoever, of any translation, with notes or without notes;—and in this patent all other persons are prohibited and enjoined, that none of them print any Bibles or New Testaments in the English tongue, of any translation, with

* It appears to have been thought by the English Judges, that it was a great object to keep up a competition in the printing of the statutes. But though the competition in this case was open to the law patentees, as well as to the universities, it was impossible to prevent combination. In the case of *Baskett* against *Cunningham and Others*, the Lord Chancellor ordered an injunction to issue, to restrain the proprietors from printing at any other than a patent press. This, as Blackstone observes, (Reports, 371,) was equivalent to a total injunction; as Woodfall and Strahan, the proprietors of the patent for printing law books, with whom Cunningham and the other booksellers had contracted to print *A Digest of the Statute Law*, with notes, were secretly in league with Baskett, and were at that time jointly concerned in a new edition of the statutes, and as these printers (Woodfall and Strahan) found means to elude their contract with Cunningham.

notes, or without notes. Perhaps his Majesty's Printers for Scotland may claim the same extensive right, as being implied in the terms *Biblia Sacra, Nova Testamenta,* &c. *in lingua Anglicana.* Do they claim merely the right of printing what is called the authorised version, as being set forth by royal authority; and, if so, are they prepared to bring evidence of the entire identity of the translation, as printed by them, with that which was executed under the authority of King James?* Or are they entitled to innovate, or

* The first edition, printed in 1611, is a good specimen of typography, and might have been expected to be peculiarly correct, as having been published under the immediate inspection of the translators. But in many respects it would be a bad model to follow. The words supplied, often very unnecessarily, for the purpose of completing the sense, when the expression is more elliptical than appears to be perfectly consistent with the idiom of our language, are now printed in Italics, and were at first intended to be distinguished by being printed in a small Roman character, forming a very observable contrast with the black letter. But, though in some parts of the Bible, the distinction was attended to, it has in many others been almost totally overlooked. To take an example at random: In the 10th chapter of the Gospel according to John, only one word bears the mark of being supplied in the first edition, and in some of the other early editions no such mark occurs at all. Some of the present editions have *seven* words in Italics, and others *nine.* The 11th chapter has *nineteen* words supplied according to the editions now in use. The editions 1611, 1613, 4to. 1615, 4to. and 1630, 4to. have *not one* mark of a supplied word in this chapter. The same observation applies to the first Edinburgh New Testament, 1633. In the 12th chapter, *ten* words marked in the new editions, as being supplied, are printed in the first in the same character with the rest of the text. Some of the Edinburgh editions by Andrew Anderson, have not a single word marked as supplied in the whole New Testament. In the 10th chapter, (verses 28

to alter, or to adopt unauthorised variations,* or to blend different versions,—or to suppress or

and 29,) the words τὶς and οὐδὶς, now properly translated *any* and *none*, were in the early editions rendered *any man* and *no man*, without any mark to denote that the word *man* was supplied. The improvement was borrowed from the Geneva version, and was first introduced into the editions of the present translation in the time of the commonwealth, a short time before the restoration of Charles II. Several late editions both in England and in Scotland have resumed the unnecessary word *man* in both verses; but it is more frequently omitted by the Scottish than by the English printers. The variations between the early and the late editions are in many places greater than between the Geneva version and the version now in use.

* It may appear a matter rather too trivial and minute to remark, that though many antiquated words are still retained, various changes have been tacitly admitted into our English Bibles without any authority, as *fetched* for *fet*, *more* for *moe*, *since* for *sith*, *owneth* for *oweth*, *impossible* for *unpossible*. Some of these alterations are said to have been first introduced into Dr. Blayney's edition, printed at Oxford 1769, which is now generally called the *Standard Edition*. In a very useful edition, published in 1690, by Mr. Samuel Clark, a presbyterian divine, on whose labours Mr. Lewis has bestowed high commendation, the marginal reading is occasionally transferred to the text, and other slighter alterations have been made. We havo already adverted to the exclusion of some supplied words in the time of the Commonwealth. Other changes were ventured upon in the edition of Archbishop Tenison, 1701, but the amount of them cannot be ascertained, in consequence of the typographical errata, which were so numerous and so gross that the Lower House of Convocation thought it necessary to complain of them in a representation to the archbishops and bishops. Subsequent amendments have been sparingly hazarded in several editions. We may take notice of one, which we believe was first inserted in one of the editions by Alexander Kincaid, and which has been generally copied into the Edinburgh editions ever since. In the original edition of King James's translation, and almost all the English editions to this day, the 32d verse of the xxiii. chapter of Luke's Gospel is read thus; "and there were also two other malefactors led with him to be put to death." It has been conceived to be an improved reading, to add *s* to *other*, and to interpose a comma between *others* and *malefactors*; thus, "And

add arguments and running titles at their pleasure,* or to insert new references on the mar-

there were also two others, malefactors, led with him to be put to death." Some late editions, printed in England, insert the comma between *other* and *malefactors,* without any farther change. King James's translators have rendered this passage less happily than any other with which we are acquainted, except Archbishop Parker's, which has *other two evil doers,* and the translation of Rheims, which has *other two malefactors.* In all these versions, the Saviour appears to be represented as one of the malefactors; but though *he was numbered with transgressors* by his enemies, the words of the sacred historian are susceptible of an interpretation which gives no countenance to the idea which is apt to occur to the mere English reader. Ἦγοντο δὲ καὶ ἕτεροι δύο κακοῦργοι σὺν αὐτῷ ἀναιρεθῆναι. The Geneva translation is, "And there were two others, which were evil doers, led with him to be slain." The more ancient English translation has merely, "And there were two evil doers led with him to be slain." Our translators appear to have followed the Rhemists, or the Vulgate, *alii duo nequam.* The change into *two others, malefactors,* though an unauthorised emendation, was, we think, first suggested by an English bishop, Dr. Zachary Pearce, in his Commentary on the Evangelists, &c. published 1777.

* The arguments of the chapters were very long in the early editions, and for many years they were inserted at full length, not only in bibles of large volume, but in those of a pocket size. They were totally omitted in most of Field's small bibles; and in other editions they were much shortened. John Canne, a Brownist, who fled to Holland at the restoration of Charles II. published an octavo bible at Amsterdam, 1664, with marginal notes. In this edition, which was in great demand, the contents of the chapters were considerably abridged, and several of his alterations were soon adopted very generally.

One of the most offensive of the arguments of the chapters in the original edition was that of Psalm cxlix. "at which (says Lewis) great exceptions have been taken." It is still to be found in many of the English editions, as follows: 1. *The prophet exhorteth to praise God for his love to the church.* 5. *And for that power which he hath given to the church to rule the consciences of men.* Mr. Lewis mentions the objections against this last expression by Benjamin Robinson, and then proposes an explanation of it, which does not display

gin,* or to print, under the sanction of His Majesty's name, Bibles containing notes which have

much critical knowledge. He afterwards states, that in some octavo editions, these contents are thus altered. 1. *The Psalmist voweth perpetual praises to God.* 3. *He exhorteth not to trust in man.* 5. *God, for his power, justice, mercy and kingdom, is only worthy to be trusted;* and in others thus, 1. *The prophet exhorteth to praise God for his love to the church.* 5. *And for that power which he hath given to the church.* He might have added, that many editions since the reign of Charles II. have merely the words, "*The prophet exhorteth to praise God for his love to the church,*" to which other editions add, *and for his benefits;* and a very great number, instead of *that power which he hath given to the church,* say, *that power which he hath given to his saints.* The Edinburgh editions, in general, for nearly a century, have adopted this last form. We shall only observe, in general, that such arguments have often a tendency to mislead an imperfectly instructed reader from the true meaning. It seems to be less consistent with the general strain of the Gospel revelation, to ascribe the power of ruling the conscience, either to the church collectively, or to the saints individually, than to the word of God, which is "quick and powerful, sharper than a two-edged sword, and is a discerner of the thoughts and intents of the heart." The two-edged sword in the sixth verse, can scarcely be supposed to denote carnal weapons of warfare, but "the sword of the Spirit, which is the word of God," and which is "mighty through God to the pulling down of strong holds." It would be out of place to discuss this point here. It was our purpose only to mention, that in this and many other passages, great alterations have been made, which essentially affect the sense, and which, whether they be improvements or not, are not only altogether unauthorised, but often derived from sources which we are pretty sure His Majesty's Printers cannot trace, and which, if known, would be far from gratifying to the power to which they owe their commission.

* Few particulars in the mode of printing Bibles can be said to be more important than the marginal references. These have varied prodigiously. According to Mr. Hewlett, the following are the numbers of such notes in a few remarkable editions.

9,000 in the first edition, . .	Lond. 1611, folio.
23,895 in the edition by J. Hayes, .	Camb. 1677, 4to.
33,145 by Dr. A. Scattergood, .	Camb. 1678, folio.

never received the approbation of any recognized ecclesiastical body? Because the notes happen to bear a small proportion to the text, may they

39,466 by Drs. Tenison and Lloyd, . Lond. 1699, folio.
64,983 by Mr. Blayney, Oxf. 1769, folio and 4to.
66,955 by Bishop Wilson and Mr. Crutwell, Bath, 1785, 4to.

Mr. Hewlett has not mentioned the number in Canne's editions, or in an edition printed in Scotland, of which he leads us to infer that he availed himself, though he does not favour us with its date.

To give an idea of the proportion which these references bear to one another, we may take an example from 2 Cor. vi. a chapter containing 18 verses.

In the original edition, 1611, the margin refers to four parallel passages. The edition of Canne's Bible, London, 1698, refers to 31 passages, illustrative of the same chapter. The last Edinburgh 4to. 1822, which we understand to borrow Blayney's, or more properly, Crutwell's references, indicates 52 passages.—The Edinburgh editions 1727, 1754, and 1796, and several other Edinburgh editions, all professedly containing Canne's references, give 127 passages,—more than double the number of Blayney's, and four times the number of Canne's notes, according to the edition 1698. Most people will naturally conclude, before looking at the passages, that the most essential references will be the same in all. But this is not the case. For example, 2 Cor. vi. 1, in the London edition, 1698, refers to three texts, viz. 2 Cor. iii. 10,—Mat. xiii. 19, 23.—Heb. vi. 8. Not one of these is the same with the Edinburgh 4to. 1822, which refers to 1 Cor. iii. 9,—2 Cor. v. 20,—Heb. xii. 15. Both also differ from the three other Edinburgh editions already mentioned, two of which refer to John i. 17,—1 Cor. iii. 9,—2 Cor. v. 19,—Tit. ii. 11,—Heb. xii. 15; and Adrian Watkins, 1754, instead of Heb. xii. 15, erroneously refers to Heb. xii. 14. Indeed, there is little dependence to be placed on any of them; and the doctrines deducible from one set of these references, will often be found completely at variance with those which are intended to be established by the references found in other editions. The Edinburgh 4to. 1822, at John iii. 5, refers to Mark xvi. 16, and Acts ii. 38, as if to identify regeneration and baptism. The other Edinburgh editions already mentioned, refer to Eph. v. 26, and Heb. x. 23, (a mistake for 22.) The London edition, 1698, refers to Ezek. xxxvi. 25, and Rom. vi. 3, 4. The references of the ast Edinburgh 4to. appear to be intended to support the notion of

(if they think fit) print one edition of the Bible with Calvinistic notes, another with Antinomian notes, a third with Arminian notes, a fourth with Unitarian notes, and perhaps a fifth with the arguments, glosses, and annotations of the Popish seminaries of Rheims and Douay? Or, if it be in the exercise of his Majesty's duty to the Church of Scotland that their right is conveyed, are other religious bodies in this part of the island to be precluded from publishing Bibles with notes, because the King's printer may not think them consistent with what he conceives to be his duty, as *owing subscription to the established religion?* for if it be an objection to the King's printer for England, that he owes no subscription to this

the Church of Rome, which has been in a great measure adopted by the strict Lutherans, that the external baptism with material water is absolutely necessary to salvation. The other references are more favourable to the views of the Calvinists, who represent baptism merely as a sign or seal of regeneration, and who consider the expression "born of water," as denoting the sanctifying operation of the Holy Spirit, whose influences on the soul are sometimes figuratively likened to the sprinkling of clean water.

Not to dwell longer on the effect which may be produced by notes and references inserted by divines of discordant sentiments, and all apparently set forth by the same authority, we may take notice of a few other variations. In the year 1680, Archbishop Usher's Chronology was added at the head of the columns and on the margin. In 1701, Bishop Llyod's chronological notes were introduced in a different order, and with much greater minuteness. The same Bishop added not only his collection of parallel passages, but the *gospels* and *epistles*, and the days of the months for the different Psalms, according to the order of the English liturgy; also an index to the Bible, and Bishop Cumberland's tables of weights, measures, and coins. His Majesty's printers in Edinburgh print all these tables, as well as the Tables of Offices and Conditions of Men, which is full of inaccuracies.

religion, it must be admitted to be one of the qualifications of His Majesty's Printers for Scotland, that they do owe this subscription. If they are so conscientious and discriminating as to print nothing inconsistent with the doctrines, worship, or government of the national church, they cannot print the Book of Common Prayer,*—they cannot print Catechisms different from those which have been approved by the church,—and, on this ground, they must cease to print the meagre, ungrammatical, and sometimes scarcely intelligible form of words, which they have thought fit

* With regard to the Book of Common Prayer, it is curious that some of the most beautiful editions have been printed by persons who did not enjoy any patent. Some excellent editions have been printed in France. Didot's, printed at Paris 1791, with plates designed by Lavater, is in great request. In a common edition, printed at Verdun by Lewis Christophe, 1810, we perceive no respect in which the Edinburgh editions of the same period can claim a superiority, or even equality, except one. The French edition omits the prayer, *in the time of wars and tumults*, and this clause in the prayer for the *King's Majesty*, "strengthen him that he may vanquish and overcome all his enemies;" but it leaves blank spaces, in which the defects might be supplied with a pen. It was scarcely to be expected, that the French printers at that time would be allowed by their government to print this petition against themselves—"abate their pride, assuage their malice, and confound their devices." The censorship of the press does not however appear to have been very fastidiously or vigilantly exercised, as it has permitted the Litany to retain the prayer for giving the king victory over all his enemies, and as among the *forms of prayer to be used at sea*, it allowed *the prayer to be said before a fight at sea against any enemy* to be inserted at full length. Perhaps it may be said, that by this time the French government had little to apprehend from the British navy, as the fleets of France had been previously annihilated.

(on what authority they best know) to append to the Shorter Catechism. Probably, too, they will perceive, that, without violation of their duty to

It is proper to add, (what was omitted in a former note) that the edition of the Book of Common Prayer, printed at Edinburgh, by Robert Freebairn, in 1730, is one of the most beautiful which ever was published in a pocket size. It is not only finer, but more correct than the similar edition, published for Mr. Reeves in 1803.

As it is possible that many persons, particularly in England, may suppose that the Book of Common Prayer has all along possessed some authority in Scotland, it may be necessary to explain how this matter stands.

The introduction of the English Book of Common Prayer into Scotland (according to Mr. Skinner, in his Annals of Scottish Episcopacy) took place in the reign of Queen Anne, and was acquiesced in from the facility with which the book was procured by the people; whereas the Scottish Prayer-Book, from the ravages committed on it, and from its having been suppressed by legal authority in 1637, had, in a manner, become extinct. From the period of its introduction, however, most of the bishops and clergy in Scotland had been in the use of not unfrequent verbal alterations in reading the English service. In a letter of Bishop Gleig to Bishop Skinner, Jan. 15, 1810, it is said, "every man in my diocese varied the form according to his own judgment or caprice:" and it is added, "to such a length was this (to me most unaccountable) rage for innovation carried in some of the chapels of the diocese, that I was assured the very communion service was interpolated with long prayers, which from the specimens of them, repeated by different people to me, surely were unworthy of a place in that solemn service." It must be observed that the Communion Office used by the Episcopalians of Scotland, was not that of the church of England, but that which was authorised by King Charles I. in 1636. In the year 1804, the two Episcopalian parties in Scotland united; and from that period every clergyman officiating in Scotland, by virtue of ordination from an English or an Irish bishop, might, notwithstanding his union with the Scottish Episcopalians, be still at liberty to use in his own congregation the liturgy of the church of England, as well in the administration of the sacrament of the Lord's Supper, as in all

the Presbyterian establishment, they will be unable to print several of the Commentaries on the Scriptures which are in common use. Have they

the other offices of the church. In the year 1811, it was enacted by an ecclesiastical Synod at Aberdeen, that the Scottish communion office is still to be considered as the authorised service of the Scottish Episcopal church in the administration of the sacrament of the Lord's Supper; but at the same time permission was granted to retain the English communion office in all congregations where it had formerly been in use.

The Scottish Episcopalians never acknowledged the Thirty-nine Articles of the Church of England as their Confessional, till the year 1804, when they formed an union with most of the clergy of the church of England, officiating in Scotland. Till this time, indeed, they had no public Confession of Faith at all.

It appears, therefore, that it is not quite twenty years since the ritual of the church of England was any farther acknowledged by the Episcopalians of Scotland, than consisted with the discretion of every individual clergyman, who might alter, or suppress, or add prayers at his pleasure. Since 1811, they have bound themselves to the English forms, except in the administration of the Lord's Supper. They do not then hold themselves bound by the royal authority, or by the acts of uniformity of public prayers and administration of the sacraments. Indeed they seem to think it a mark of great moderation, that they have conceded to the English ordained clergy and their congregations, a liberty to use the English Communion Office. And they conceive that the church of England, in the Thirty-Fourth Article, admits "the right of every national church to frame its own ritual."—In this article it is said, "It is not necessary that traditions and ceremonies be in all places one or utterly like, for at all times they have been diverse, and may be changed according to the diversities of countries, times, and men's manners, so that nothing be done against God's word. Every particular or national church hath authority to ordain, change, and abolish ceremonies or rites [not *rights* as it is sometimes printed by Mr. Reeves] of the church, ordained only by man's authority, so that all things be done to edifying."

a right, then, to suppress these Commentaries, when they bear a small proportion to the text,—or must those who wish to publish such commentaries, lengthen them out so as to exceed the dimensions of the text, that they may have the privilege of employing whatever printer they may prefer? If this device shall be successful, how can the privilege of his Majesty's printers secure the purity of religion, as any one may safely print Bibles as incorrect as possible in the text, and stuffed with heretical expositions, provided the expositions be not too brief? Is it alleged that commentaries, in general, which are not printed by his Majesty's printers, and which necessarily subject the publishers to an expense incalculably greater than that which is incident to the publication of the naked text, without the prospect of any considerable return to recompense the labour bestowed in correcting them, are the vehicles of an impure text? May not the people of Scotland soon be subjected to a very great hardship in being denied the use of commentaries, which they are anxious to procure? Have his Majesty's Printers alone the power of extricating them from such a difficulty as this? Can his Majesty's Printers insist on printing Mr. Hewlett's Bible, in the same manner as they have been accustomed to print that of the late Mr.

Brown of Haddington?* Or can Mr. Hewlett, whose work is entered at Stationers' Hall, insist that their patent does not entitle them to infringe upon the privilege which an author derives from the copyright act? Are they then prepared to say that they will allow it to be imported, or that they will allow any other to be imported which can be printed in England, otherwise than by his Majesty's Printer there, or by the English universities—such as D'Oyley and Mant's, or Dr. Clarke's, or Osterwald's, which last they may have the right to print without finding it worth their while to exercise that right?† With regard to the license or authority to print, reprint, or import, which his Majesty's Printers consider themselves to be by their patent entitled to grant,—it may not be amiss to offer a remark. If it be expedient that the Crown shall not give the power of printing the Bible to more than one in Scotland, and shall refuse liberty to import it, as being an unauthorised book, when printed even by the English universities, or his

* We believe indeed, that ten for one of the copies of this book sold in Scotland have been printed at Berwick, or in one or other of the provincial towns of England. We do not know if any thing has been paid for the liberty of selling them.

† A quarto edition was printed by Sir David Hunter Blair and James Bruce, in 1805. The title-page does not refer to his Majesty's special command, but to the recommendation of the Society for Propagating Christian Knowledge, at whose desire Osterwald's arguments and observations were translated.

Majesty's Printers in England, it is by no means clear how all the danger arising from the use of unauthorised copies can be averted by giving to the King's Printer a power greater than the Crown thinks it safe to keep in its own hands. Why allow the King's Printers to assign their right to one or more individuals, of whose fidelity they can have no perfect assurance; and why allow them to grant a license to import? Will their license be sufficient to render the Bibles printed in England more correct than they have been hitherto when imported without any such license? And if they say that they must be responsible for the quality of the editions imported, it is to be feared that they will not be willing to grant the license without demanding some composition sufficient to secure them against the risk of subjecting themselves to any penalty, and thus rendering it impossible to import, except at a price which many may be unable to afford.

We may ask, farther, if the security against the corruption of the standards of our faith be not very incomplete, so long as no means are used to publish the pure original text, of which the Crown takes no charge;—or rather, as no danger has resulted from the universal liberty of printing the Hebrew Bible and the Greek New Testament, if it would not be safe to remove every restraint from

the publication of the Scriptures in our own language. We do not say that no penalty should be incurred by those who print incorrectly. But we rejoice to think, that without the interposition of any ordinance of man, the government of God has, for thousands of years, and in periods of the deepest darkness, secured from destruction and from adulteration the lively oracles of his will; and we trust that the same watchful Providence will continue to preserve in untainted purity that word which "liveth and abideth for ever."* But if secu-

* The Scriptures have never been published in the original tongues by any king's printers in Scotland. The Hebrew Bible has never been printed in Scotland at all; at least the only complete book of it (so far as we recollect) which was ever printed, was the Song of Solomon, with Bythner's notes, and other illustrations by David Ferguson, published at Edinburgh by Andrew Anderson, before he was King's Printer. Neither he, nor any of his predecessors or successors, ever printed so much as an edition of the Greek New Testament. It may be supposed, perhaps, that the poverty of Scotland affords no encouragement to print editions of a book which is too little read in the original. But if the complainers be correct in saying, that the Church has a king, not only for its nursing father, but its head, it might be expected that, in the fulfilment of his paternal duty to the Presbyterian establishment, care would be taken to supply correct editions, though, instead of yielding any profit to the objects of the royal patronage, they were to expose the government to considerable expense—an expense, surely, which would not be grudged by the serious population, if it could be shown to be necessary to prevent an influx of suspicious or impure copies, not only from our sister church, whose articles are sometimes supposed not to harmonize with ours, but from states and cities, in which Arminianism, Socinianism, and Deism predominate, —or from Rome, and France, and Spain, where Popery reigns triumphant. We are left, however, to all the danger (if any danger there be) of having our minds turned aside from the truth by the

rity against corruption of the English version be necessary, how is it less necessary in the case of the other versions of the Scriptures in several

use of the Hebrew Bible of Houbigant, or Le Jay's Polyglott, printed at Paris, or the Complutensian and Antwerp Polyglotts, the former deriving contamination from the patronage of Cardinal Ximenes, and the latter from the special mandate of Philip II.; and, besides many minor editions of the Greek Testament from all the countries of Europe, the elaborate collations of Wetstein and Griesbach might be dreaded as the vehicles of Unitarian tenets, if Christians were not required to "try the spirits whether they are of God," and to "prove all things, and hold fast that which is good."

But we are not left to suppose that there is no encouragement for printing the original Scriptures in Scotland. Several useful and correct editions, though none of peculiar value to the critical student, have been published, both at Edinburgh and Glasgow, since the year 1740, when Ruddiman ventured on the first Scottish edition. The Septuagint has also been published at Glasgow within the last two years. The publication of Scapula's Lexicon at Glasgow, and of Schleusner's Lexicon, both at Glasgow and Edinburgh, within these few years, may be regarded as sufficient evidence of the encouragement afforded in this country for publishing expensive works illustrative of the original Scriptures.

It is often alleged that biblical criticism has never made any considerable progress in Scotland, and that, though perhaps cultivated by a few with no small success, it is at present particularly low. We do not perceive how it can be expected to be otherwise. Almost all the most valuable works which are required by the biblical critic must be imported from the continent; and the duty on imported books is so high, as in many cases to amount almost to a prohibition. We mentioned, in a former note, that there was a time when, though there were printers in Scotland possessing the privilege of printing all manner of books, authors were under the necessity of sending their works to be printed on the continent. When some of these works are now imported, the cost amounts to three times the price they bear in France or Holland.

It may be pretended that the duties were imposed to compel the natives of this country to write and publish such works as they find it difficult to bring from foreign countries. But learning will never be promoted by the exclusion of learned books, and emulation will

of the languages spoken in the King's dominions, as for instance, in the Gaelic, a language in which many of the ministers of the established church

be repressed when few opportunities occur of studying the choicest models of excellence. Very few clergymen in Scotland can afford to purchase a tolerable collection of works on sacred criticism. Even so common a book as the Utrecht edition of Poole's *Synopsis*, (the work of a British author, printed originally in London, and afterwards repeatedly on the continent,) costs seven guineas, more than half of which sum is duty. Calmet's *Commentaire Literale* costs fourteen guineas. Two or three of the best editions of the Hebrew and Greek Scriptures, with one or two of the best lexicons and concordances, and such books as the collations or various readings of Kennicott and De Rossi, would cost more than the whole annual income of some of our clergymen. A good edition of Stephens's Greek Thesaurus is worth £25. We know that some Presbyterian divines in Scotland, small as their livings were, possessed this book and others of the same kind, before the restoration of Charles II. But such books were not so high priced then as they are now; and though many books were well printed in Scotland, no difficulty was thrown in the way of importation.

Both the New Testament in the original Greek, and the Septuagint version of the Old Testament, have often been printed at Oxford and Cambridge. Kennicott's Hebrew Bible was also printed at Oxford. We do not recollect any other edition printed there, except Forster's in 1750. Many Hebrew Bibles have been printed in London, but none, we think by the King's Printer. The British and Foreign Bible Society has printed 5000 copies of the Hebrew Bible.

From the time of Henry VIII. it has been the practice to grant a patent to a printer to the king, in Latin, Greek, and Hebrew. The first who held this office was Reginald Wolfe. The family of Nortons held the patent for a very long period, and at last sold it in the reign of George II. to T. Buckley and T. Longman. None of that race, however, appears to have printed Bibles, and we are not sure if they printed any thing in virtue of their privilege, except Lily's Grammar.

The Polyglott of Bryan Walton, the greatest work of the kind ever published in England, was printed by Royston.

It is lamentable that so few efforts have been made in Britain to

are required to preach, and in which, within the last twenty years, more than 100,000 copies of the Scriptures have been furnished by two Societies? or how are we to account for the total neglect on the part of the government to provide the Holy Scriptures at all for the use of that interesting and important portion of the British population, from which have gone forth in every successive campaign so many thousands of warriors, whose bravery and good conduct in the field have been signalized in the eyes of all Europe, and whose martial character has been, in many cases, heightened by the purification of their principles through the influence of the truth?

Again, is there not a great difference between the case of his Majesty's Printers for Scotland, and the privileged printers in England, in this respect, that the kingdom of Scotland has borrowed a translation of the Scriptures from England? The English did not borrow one from us. If they had, there might have been greater reason for excluding from Scotland their editions of a borrowed version; or, at least there might have been the same reason which they had for excluding from England our editions of a version, for which we were entirely indebted to that nation. For

produce an edition of the Hebrew Bible which may be relied upon as accurate. Some refer to Bomberg's edition at Venice, in 1525, as if it were the best; but a correct *standard text* is still a desideratum.

though his Majesty's Printers for Scotland have denied the fact, it can be fully proved, that "the present translation of the Bible was made entirely by the English government, and for the use of Englishmen." When it was adopted in Scotland, the people of this land, as appears from the license to Findlasone in 1612, and by subsequent patents, enjoyed the right of providing themselves with copies of the Scriptures printed by other persons besides his Majesty's Printer; and they have now enjoyed, for more than two centuries, the advantage of importing copies of the Scriptures from England; and if it be the design of his Majesty's patent to take away these rights, which have been universally conceived to be perpetual, it is at least to be hoped that the time will never come, when the exercise of that religious liberty, for which we, above all other nations, have cause to be grateful, shall be so restrained, that we shall feel any difficulty in procuring, if we shall see cause, an improved translation of the sacred Scriptures, of which the Crown of Scotland will not be entitled to claim the property.*

In our observations on this important cause, we have not confined our attention to the peculiar

* As it is one of the fundamental laws and regulations of the British and Foreign Bible Society, that the only copies to be circulated in the languages of the united kingdom, shall be the *authorized version*, it is not to be supposed that this Society will ever meditate such

circumstances in which we are placed as members of Bible societies. It has rather been our object to show, what have always been the rights of the people of Scotland with regard to this matter, and how seriously these rights would be affected in

a scheme as the execution of a new translation into English. But it is not by any means improbable that an association may be formed for accomplishing this object; and in many respects the times are favourable for an undertaking of this magnitude and importance. We would deplore the taste of any person who does not perceive and feel the manifold beauties and excellencies of the translation now almost universally used by all bodies of Christians who speak the English language, not only in the British empire, but in the United States of America, where, by the way, though there are no privileged printers, it is printed with scrupulous and undeviating conformity, without so much as the omission of the dedication to King James, and where it is impossible not to admire the great care which is bestowed in producing stereotype editions, at once cheap and elegant. We do not remember that any class of professed Christians have ever professed a very strong antipathy to this version, with the exception of the Unitarians, and a strange set of enthusiasts, commonly called the *Sweet Singers*, who, in the year 1681, "renounced the impression and translation of both the Old and New Testaments, and that for additions put unto them by men, and other causes," and in testimony of their dissatisfaction at the abounding corruptions both of translators and press, reformed their own copies to the best of their power, in the intention of publishing a new translation, free of all abuses. A new or amended translation, notwithstanding the many obstacles in the way, has been seriously and earnestly desired by many more reasonable men, particularly in the Church of England. Bishop Newcome, whose anxiety to promote this object was well known, has quoted the opinions of Dr. Wells, in his General Preface to the Old Testament, 1724; Mr. Blackwell, in his *Sacred Classics*, 1731; Dr. Waterland, in *Scripture Vindicated;* Bishop Lowth, in his *Visitation Sermon* 1758, and *Preliminary Dissertation to Isaiah*, 1778; Durell in his *Critical Remarks on Job;* Dr. Pilkington's *Remarks*, Cambridge, 1759; Dr. J. White, Arabic Professor at Oxford, in a sermon, entitled, *A Revisal of the English Translation of the Old Testament Recommended*, 1779; Dr. Kennicott, in his *Dissertation* prefixed to his *Hebrew Bible*, 1780, and in his *Remarks*, 1787; Green

time to come by the continuance of the interdict which his Majesty's printers in Edinburgh have obtained against the booksellers, and which, if we do not make a strenuous resistance, will probably

in his *Preface to Poetical Parts of the Old Testament Translated,* Cambridge, 1781; Dr. Blayney, in his *Preliminary Discourse to Jeremiah,* Oxford, 1784; Dr. Symonds, in his *Observations on the Expediency of Revising the present English Version of the Four Gospels, and of the Acts of the Apostles;* Mr. Ormerod in his *Short Specimen for an Improvement in some Parts of the present Translation of the Old Testament,* 1792. We can perceive that many more objections might be urged against the style of the translations of parts of the Scripture by the most eminent divines than any which have been offered against King James's translation, as against Lowth's *Isaiah,* Blayney's *Jeremiah* and *Zechariah,* Bishop Horsley's *Hosea,* Dr. Campbell's *Gospels,* and Dr. Macknight's *Epistles;* but none of the partial failures of individuals can be considered as a proof of the impracticability of the undertaking, if conducted under due regulation by an association of men of piety, learning, and taste.

The principal defect in our present version is to be ascribed to the imperfection of the copies of original text, which were used in its preparation and revision.

"During the long extent of years (says Dr. Kennicott) since our last translation was made, many imperfections and errors in it have been discovered by learned men. And several passages have been lately pointed out, in which the older English translations had better expressed the sense of the originals. But notwithstanding these blemishes, and even mistakes, and though it is certain that great improvements might be now made in translating the whole Bible, because the Hebrew and Greek languages have been much cultivated, and far better understood, since the year 1600; yet we shall then only see the great *expediency,* or rather the *necessity,* of a more exact English Bible, when we reflect that the Hebrew text itself is now found to be wrong in many instances, some of which are of considerable consequence."

Dr. William Hales, formerly Professor of Oriental Languages in the University of Dublin, has stated in the advertisement prefixed to his *New Analysis of Chronology,* (printed in 1811,) that he found it necessary, upon the maturest consideration, to depart frequently from the authority of the *received translation of the Bible,* and to be guided

on the same grounds be obtained against us.* In the question with the booksellers, the real defenders were represented and understood to be His Majesty's Printers for England. To them the object is of no great moment, as their other employment is more than sufficient to occupy them, and also exceedingly lucrative. But hitherto the interest of the party most deeply concerned has been totally overlooked. The interest of the whole population of Scotland is at stake. We are not to regard the question as one which has arisen between two rival tradesmen, or two commercial companies. To the contending patentees it may appear to be the principal thing, whether the

by the light of the original Scriptures. Among the difficulties of Scripture, this author accounts the imperfections of all the received translations to be none of the least considerable. "Our last translation (he says) is unquestionably superior in most respects to its predecessors, at home and abroad. But it is far from being immaculate. It is not sufficiently *close* and *uniform* in rendering the originals; and though a good *popular* translation, in the main, of admirable plainness and simplicity of style, yet it is not calculated to convey precise and critical information, in difficult and mysterious passages, of the *prophecies* especially, and *poetical* parts of Scripture, abounding in abrupt transitions, and perplexing involutions. Even in the *Gospels*, those perfect models of historical narration, mistranslations abound, arising from ignorance of, or inattention to, the peculiar force of the Greek article; as fully proved in Dr. Middleton's excellent treatise on the *Greek article*."

These hints may be sufficient to show that the idea of a new translation is not perhaps so little entertained as some persons imagine.

* By a summons received on the 17th of April, we are charged to bring our whole grounds and warrants founded on by us before the Lords of Council and Session on the 14th of May next.

King's Printers for Scotland, or the King's Printers for England, shall have the greater profit. And though the complainers against us, notwithstanding all that they have said of the vast importance of excluding unauthentic copies of the Scriptures from Scotland, have admitted that they would have continued their tolerance of such imported copies, if it had not been their interest to withdraw it; yet, as the English patentees and universities have so jealously vindicated their exclusive right, "they think it but reasonable (as they are pleased to say) to do unto others as others have done unto them." If this be the golden rule of the printers of the Bible, it is not what we have learned from the Bible. Esteeming the purity of the word of God to be more valuable than thousands of gold and silver, we feel ourselves imperatively called upon to obey this great commandment, "all things whatsoever ye would that men should do to you, do ye even so to them." If the attempt which is now made, had been made in the days of our fathers, we decidedly think that they would have done us the greatest injustice if they had tamely stood still, and witnessed the infliction of permanent wrong on their descendents, which they might have averted by timely resistance. It is our determination to do our utmost to prevent such a charge being brought against us by our posterity. Messrs. Eyre and Strahan

or the English Universities, may have no great cause to complain if Sir David Hunter Blair and Mr. Bruce follow the example which has been set them, and insist on every advantage which the law shall grant them. Sir David Hunter Blair and Mr. Bruce no doubt think that the community will be gainers by such an issue of the cause as, by increasing their profits, will enable them to execute their work in a superior style, at a moderate rate. But whatever may be the honourable purposes of Sir David Hunter Blair and Mr. Bruce, in printing better than they have ever yet done, and in taking more moderate profits than are taken by their English competitors, they can give us no security that their successors in office will be equally honest and liberal. We are aware that they are making every exertion to excel all their past performances, and to furnish the Bible at prices which nobody can deny to be reasonable. This is very well in the mean time; but it will be a national misfortune, if it shall induce the country to delude themselves with the hope of a perpetuity of good and cheap editions. If the interdict shall become final, and if all competition shall be thus in future prevented, it will be too late to attempt a resistance, which, if attempted now, would in all probability be successful. We are astonished to hear, that some are so thoughtless as to say, that the honour of the coun-

try is concerned in upholding the interest of the Scottish patentees against their English rivals, and retaliating upon the privileged printers in England the indignity and injury which are supposed to have been inflicted by excluding Scottish editions of a book, the copy-right of which is commonly considered by English lawyers as being the property of the Crown of England. For the same reason, the people of Scotland should refuse to wear English cloth and Irish linen, if the cloth and linen of Scotland were excluded from England and Ireland; and it was upon some such pettish ground as this, that the Parliament of Scotland, in 1663, passed an act, (now happily rescinded) which gave rise to a number of intolerable monopolies. If the pride of Scotland be such, that the people would rather have an inferior article which is produced at home than a better which comes from a distance, let them exercise it rather on any other commodity than on the standards of faith.

We must take notice, also, of the grudge which the King's Printers express, on account of the considerable sums sent to England for purchasing what they call unauthentic copies of the Scriptures. We do not see this hardship in the same light as they see it. The people of Scotland may well consider it as an unspeakably heavier grievance, that such large sums are taken from them for Bibles which many of them think inferior to

those which they could import from England at a lower price.

What advantage is it to the Crown of Scotland, or to the people of Scotland, or to the religion of Scotland, or to the commerce of Scotland, that one individual, or two individuals, whether born in Scotland, England, or Wales, (for more than half of the persons who have been King's Printers for Scotland appear not to have been natives of Scotland, or residents in Scotland,) shall receive the whole profit arising from the sale of Bibles in Scotland? If any one was ever yet selected for the appointment, either on account of his peculiar aptitude for the task, or on account of any signal public services, and if it could have been foreseen that every one who was so selected would continue during the currency of the patent, to be represented by persons possessing equal qualifications, and equal claims on the bounty of the public, it was quite unnecessary to secure the profits in any other way than by inducing him to surpass his English rivals. And when these profits are once secured, who can restrain the printer from spending the money in England, or France, or Ireland, or any where else? It has surely been a matter of indifference to the people of Scotland all along, whether the money which they paid for Bibles was spent by Mr. Robert Barker, or Mr. John Field, or Mr. John Baskett, printers for the kingdom of

England, or by Mr. Robert Young, or Mr. John Baskett, or Mr. John Bruce, printers for the kingdom of Scotland, all of whom have equally resided in England, while they enjoyed their patents.

The value of the appointment of King's Printer is known to be enormous, and the extent of the buildings occupied by the copartnery, whatever proof it may afford of the expense of the undertaking, is equally a proof that their profits are not contemptible. One half of the emoluments which are realized would sufficiently recompense them for any risks they have ever run: and, wherever the money is spent, the nation has a right to expect that ample justice will be done in the execution of an office, for which the people are taxed in more ways than one.

When so much has been gained in Scotland by individuals, whose duty, if well performed, has been as well paid for, many have thought that the advantage might have been much better applied. If the right had been given to the universities of Scotland, and if they had been prevented from forming a combination, the competition would have secured excellence and accuracy of workmanship, and the profits might have saved the walls of these venerable institutions from crumbling into ruin. The nation would universally acknowledge it to be reasonable, that the profits of printing the Scrip-

tures should be dedicated to the support of religion and learning. The professorships of divinity in particular are almost all miserably endowed; and as fees are not paid by theological students, the emoluments of those who sustain the important and difficult office of training the candidates for the ministry of the word, are, in some instances, inferior to the stipends of the poorest of the country clergy. If, instead of supplying the deficiencies of their incomes, by presenting them to parochial charges, in which they have not leisure to labour so abundantly as others, and at the same time to do justice to their academical appointments, they were required to take an inspection of the accuracy of the editions of the Scriptures, not only in the spoken language of the country, but in the original tongues, the profit would be sufficient to compensate all the labour, though it were divided among the seventeen persons who are Principals, Professors of Divinity, Ecclesiastical History, and Hebrew, in the five universities of Scotland. But though such a distribution had been made of the patent of King's printer, greatly as we would wish to see these learned bodies prosper, we are sure that it would have been no benefit, either to them or to the nation, to have shut out from Scotland all the Bibles printed in England.

These facts are humbly submitted to the consideration of counsel, and of the public; and, though

the subject is by no means exhausted, it is hoped that enough has been said, in the course of the investigation, to show that the whole country is interested in the issue of this cause.

We conclude by recapitulating a few of the positions which we think we have established.

In our apprehension, it appears undeniable,

That seventy years elapsed after the appointment of the first printer to the king of Scotland before any effectual means were taken for printing the Scriptures in English, though in that period many other books equally expensive were published in this kingdom, and though it is certain that the demand for the Scriptures was very great.

That from the time when the first edition of the Bible was printed in Scotland, to the Union of the kingdoms,—a period of nearly 130 years, a license for printing the Scriptures was not more necessary than a license for printing any other book; and that every successive gift to his Majesty's Printers included a liberty to print many books which are not now considered as prerogative copies.

That, during that long period, not only was the importation of Bibles allowed, but parts of the Bible, at least, and other books employed in the service of the church, (Psalms, New Testaments, Catechisms, &c.) were currently printed by persons who did not hold the office of his Majesty's Printer. The second edition of the Bible (the only one

printed in the course of fifty years after the first) was printed by an individual who was not King's Printer; and the same person, as well as several others, printed numerous editions of the Psalms, while his Majesty's Printer did not furnish one.

That if it was the principal object, or any part of the object contemplated by the sovereigns of Scotland, in nominating such an officer as the royal typographer, to secure correct editions of the Holy Scriptures, that object has not hitherto been satisfactorily attained; as many of the individuals who held the appointment never published any edition of the Scriptures, and as the editions published by others have been incorrect in a degree to which there is perhaps no parallel in the whole history of the art of printing.

That whenever his Majesty's Printers have been in any considerable degree supported by government in their attempts to establish a monopoly, the editions of the Bible have been most incorrect.

That it is no part of the prerogative of the king of Scotland to prescribe what versions of the Scriptures shall be used in the established church, or by any other body of Christians.

And, finally, that it is the duty and the interest of all who wish well to the cause of religion, to resist every claim arising from any quarter, however respectable, the result of which may be to subject the circulation of the Scriptures to restraints un-

known in this kingdom during the long period of two hundred and eighty years.

The practice of importing copies of the Scriptures, not by the connivance, but under the sanction of the legislature, is coeval with the very dawn of the Reformation; and now when the great seal of ages is affixed to the privilege, and the statutes of antiquity interpreted by the unvarying use and experience of many generations, is it conceivable that the decision of any court of justice will deprive the people of a vested interest, protected so long by our judges, our counsellors, and our kings, and, according to our apprehension, unequivocally recognised in the patents of the complainers, which prohibit no importation, except from places beyond seas,—an interest possessed by our fathers in times when Scotland and England were often in a state of hostility, and never till now disputed, since they formed one kingdom,—an interest which has been heretofore enjoyed in peace and quietness, to no man's prejudice, and to every man's comfort, and which the Bible Societies have least of all forfeited, while they have been adding greatly to the demand for the sacred books, by the circulation of which it has been their aim to make their fellow creatures better subjects of the kingdoms of this world, and better prepared for the happiness of eternity?

APPENDIX.

No. I.

Extract from the Fourth Annual Report of the Deputy Clerk Register of Scotland, MDCCCX.
With some additional information concerning the First Scottish Press.

The following privilege by the King to Walter Chepman and Andro Myllar, the first Scottish Printers, is a document of some importance in the literary History of Scotland:—"James, &c. To al and sindrj our officiaris liegis and subdittis quham it efferis, quhais knawlage thir our lettres salcum, greting; Wit ye that forsamekill as our lovittis servitouris Walter Chepman and Andro Millar burgessis of our burgh of Edinburgh, has at our instance and request, for our plesour, the honour and profit of our Realme and liegis, takin on thame to furnis and bring hame ane prent, with all stuff belangand tharto, and expert men to use the samyne, for imprenting within our Realme of the bukis of our Lawis, actis of parliament, croniclis, mess bukis, and portuus efter the use of our Realme, with addicions and legendis of Scottis sanctis, now gaderit to be ekit tharto, and al utheris bukis that salbe sene necessar, and to sel the sammyn for competent pricis, be our avis and discrecioun thair labouris and expens being considerit; And becaus we wnderstand that this cannot be perfurnist without rycht greit cost labour and expens, we have grantit and promittit to thame that thai sall

nocht be hurt nor prevenit tharon be ony utheris to tak copyis of ony bukis furtht of our Realme, to ger imprent the samyne in utheris cuntreis, to be brocht and sauld agane within our Realme, to cause the said Walter and Androu tyne thair gret labour and expens; And alis It is divisit and thocht expedient be us and our consall, that in tyme cuming mess bukis, manualis, matyne bukis, and portuus bukis, efter our awin scottis use, and with legendis of Scottis sanctis, as is now gaderit and ekit be ane Reverend fader in god, and our traist consalour Williame bischope of abirdene and utheris, be usit generaly within al our Realme alssone as the sammyn may be imprentit and providit, and that na maner of sic bukis of Salusbery use be brocht to be sauld within our Realme in tym cuming; and gif ony dois in the contrar, that thai sal tyne the sammyne; Quharfor we charge straitlie and commandis yow al and sindrj our officiaris, liegis, and subdittis, that nane of yow tak apon hand to do ony thing incontrar this our promitt, devise, and ordinance, in tyme cuming, under the pane of escheting of the bukis, and punising of thair persons bringaris tharof within our Realme, in contrar this our statut, with al vigour as efferis Geven under our prive Sel at Edinburgh, the xv day of September, and of our Regne the xx^{tl} yer."—Books of the Privy Seal, iii. 129.—The only publications known to have issued from the press of Millar and Chepman, are a collection of pamphlets, chiefly metrical Romances and Ballads, in 1508, of which an imperfect copy is preserved in the Advocates Library;* and the Scottish Service Book, including the Legends of the Scottish Saints, commonly called the Breviary of Aberdeen, in 1509; of which the copies are excessively rare.

Additional Information.

The following is the title of the Breviary of Aberdeen, compiled by Bishop Elphinston and others.—Breviarii Aberdonen-

* These pamphlets were reprinted lately, under the inspection of Mr. David Laing; but as two-thirds of the impression were destroyed by fire, the book will soon be almost as rare as ever.

sis ad percelebris eccles. Scotor. potissimum usum et Consuetudinem, pars hyemalis de tpe [tempore] et de Scis [Sanctis] ac Davitico Psalterio, congruenter per ferias diviso: Cum Invitatoriis, hymnis Antiphonis Capitulis Reponsoriis horis feriar. commemorationibus per anni curriculum necnon coe Scor. plurimarumque virginum et matronarum ac diversorum Scor. legendis quæ sparsim in incerto antea vagabantur: cum Kalendario et mobilium festorum tabula perpetua variisque aliis adjunctis et de novo additis sacerdotibus plurimum quam necessariis in Edinburgensi oppido Walteri Chepman Mercatoris impensis impressa Februariis idibus Anno Salutis nræ et grᵃᵉ IX. M. supra et quingentesimum.

The work is concluded thus:—Laus deo cujus gracia finis adest presenti opusculo Æstivalis partis breviarii divinorum officiorum de tempore et de Sanctis; ac Davitico Psalterio congruenter per ferias diviso: cum Invitatoriis Hymnis Antiphonis Capitulis Responsoriis Horis Feriarum Commemorationibus per anni circulum nec non Communi Sanctorum plurimarum Virginum et Matronarum cum Kalendario et Mobilium festorum Tabula perpetua: cum diversorum Sanctorum legendis: quæ antea sparsim vagabantur, et nonnullis aliis adjunctis Sacerdotibus pernecessariis, per Reverendum in Xº. patrem Wilelmum Aberdonen. episcopum studiosius maximisque cum laboribus collectis non solum ad ecclesiæ suæ Aberdonen. verum etiam ad totius ecclesiæ Scoticanæ usum percelebrem oppido Edinburgensi impresso jussu et impensis honorabilis viri Walteri Chepman ejusdem oppidi Mercatoris quarto die mensis Junii Anno D. M.CCCCC decimo.

Before the Aberdeen Breviary was completely printed, Walter Chepman had occasion to complain of a violation of his privilege, by the importation of books of *Salisbury use.* The deliverance of the Privy Council on this complaint is worthy of attention.

January 14, 1509.

Anent the complaint maid be Walter Chepman, that quhar he, at the desyre of our soverane lord, furnist and brocht hame ane prent and prentaris, for prenting of croniclis, missalis, portuuss, and utheris buikis within this realme, and to se-

clude *salisberyis* use; And to that effect thair wes lettres under our said soverane lordis priue sele direct, till command and charge oure soverane lordis liegis, that nain of thaim suld Inbring or sell ony bukis of the said use of salusbery under the pane of escheting of the samyn; Neuirtheless, Wilyam Frost, Francis Frost, William Sym, Andro Ross, and diuers utheris, merchandis within the burgh of Edinburgh, hes brocht haim, and sellis daly, diuers bukis of the said use sik as mess bukis, mannualis, portuiss, matinbukis, and diuers uther bukis, in the dissobeing of the said command and lettres lik as at mar lentht Is contenit in the said complaint: The saidis Walter, William, Francis, William, and Andro, being personaly present, And thair Richtis ressons and allegacions herd sene and understand, and thairwith being Riply avisit, The Lordis of Counsale forsaidis commandit and chargit the saidis William Frost, Francis Frost, William Sym, and Andro Ross, personaly, that nain of thaim, in tyme to cum, bring hame, nor sell within this Realme, ony missale bukis, mannualis, portuiss, or matinbukis, of the said use of salusbery, under the payn of escheting of the samyn; And that lettres be writtin in dew forme to the provest and balyies of Edr and to officeris of the kingis Sheriffes in that pairt, to command and charge be oppin proclamation, all utheris merchandis and persons, that nain of thaim bring haim, nor sell within this Realme, ony of the bukis abonewrittin of the said use of salusbery, in tyme to cum, under the said pain, according to the said lettres under our souerane lordis priue sele direct thairuppon; And as to the bukis that ar ellis brocht hame be the saidis merchandis and uther persons, that thai bring nain to the merket, nor sell nain within this Realme, bot that thai have the samyn furth of this Realme, and sell thaim; And that the saidis provest, baillies, and officiaris forsaidis, serche and seik quhar ony of the saidis manuale, bukis, mesbukis, matinbukis, and portuiss, of the said use beis brocht haim in tyme tocum, or sauld of thaim that ar ellis brocht hame, and eschete the samyn to our soverane lordis use: And als, that na persons tak copijs of the buikis abonwrittin and donatis, and Wlric in prsonas, or uther buikis that the said Walter hes prentit ellis for till haf thaim to

uther Realmes to ger thaim be prentit, brocht haim, or sauld, within this Realme In tyme tocum, under the pain of escheting of the samin; And quha dois in the contrair, that the said pain be put to executioun on thaim, And that lettres be direct herapon, in dew forme, as said Is.

(*Acta Dom. Conc.* xxi. 70.)

No. II.

Licence to Robert Lekprevik, Imprentar in Edinburgh, Jan. 14, 1567.

Ane Letter maid with awise and consent of my Lord Regent makand mentioun That thai understanding that it is not onlie neidfull in commoun welthis to have the commoun lawis quhilkis ar the rule of the subjectis in civile thingis imprentit alsweile for the commoditie of this present aige as of the posteritie tocum Bot alsua all sic godlie werkis and volumis as tendis to the glorie of God Thairfore Licencand and gevand to Robert Lekprevik Imprentar in Edinburgh privilege and full powir to imprent all and quhatsumever actis workis volumes and utheris necessaris alsweile in latine as in inglische for the weill and commoditie of this realme and liegis thairof And als all sic thingis as tendis to the glorie of God Induring all the space and termes of tuenty zeiris nixt following the dait heirof Chairgeing all and sindrie Imprentaris writtaris and utheris liegis within this realme That thai nor nane of thaime tak upon hand to imprent or caus be imprentit be quhatsumevir persoun or personis outhir within this realme or outwith the samyn in ony tyme heireftir during the said space the workis volumes and buikis underwrittin or caus bring hither the same out of uthir cuntreis except onlie the said Robert Lekprevik quha salbe nominat during the said space our Soverane Lordis

Imprentar That is to say the buikis callit Donatus pro pueris Rudimentis of Pelisso The actis of parliamentis maid or to be maid (except the actis of his hienes last parliament) The croniklis of this realme The buik callit Regia Majestas The psalmes of David with the inglis and latine catechismes les and mair The buik callit the Omeleyis for reidaris in kirkis Togidder with the grammer to be set furth callit the generall grammer to be usit within scolis of this realme for eruditioun of the youth And that under the panis of confiscatioun of the same workis and buikis that salhappin to be imprentit and payment of the sowme of twa hundreth pundis money of this realme With command and charge to all and sindrie provestis baillies and officiaris of his hienes burrowis to serche and seik the contravenaris heirof and cause thir presentis to be put to dew executioun conforme to the tennor thairof in all pointis during the space foirsaid And be thir presentis Our said Soverane with advice and consent foirsaid Ratifeis and apprevis the gift gevin and grantit be his umquhile derrest fader and his hienes moder under thair prive seill to the said Robert for Imprenting of the Actis of Parliament and psalmes ellis imprentit be him conforme to the tennour of the samin in all pointis of the dait the viij day of februar The zeir of God In v^{c} lxv zeiris And gif ony of our said Soveranis liegis tak upoun hand to imprent within this realme, or cause be imprentit outwith the samin ony of the foirsaidis workis volumes and buikis specialie abone expressit except onlie the said Robert during the said space Ordains the samin to be confiscat and becum under eschete and the persone contravenand the samin to pay the said sowme of twa hundreth pundis money foirsaid That is to say The ane half to our soveranes use and the uther half to the said Robertis use frelie quietlie &c But ony revocatioun &c. At Edinburgh the xiiij day of Januare The zeir of God In v^{c} lxvij zeiris

Per Signaturam

No. III.

Licence to Lekprevik to Print the Inglis Bibill, April 14, 1568.

Ane Letter maid with awise of my Lord Regent To Robert Lekprevik our Soverane Lordis imprentare Givand grantand and committand to him full licence privelege and power To imprent all and haill ane buke callit the Inglis bybill imprentit of before at Geneva And that continuallie induring the space of tuenty zeiris nixt following the dait heirof Chargeing all and sindrie imprentaris writtaris and utheris his hienes liegis within this realme That nane of thame tak upoun hand to imprent or caus be imprentit be quhatsumever persoun or personis within this realme in ony tyme heirefter induring the said space under the panis of confiscatioun thairof The said buke callit the Inglis bibill viz samony as salhappin to be imprentit and payment of the soume of twa hundreth pundis money of this realme &c At Glasgw the fourtene day of Aprile The zeir of God In v^{c} lxviij zeiris.

No. IV.

Privilege to Mr. George Young, to Print a Grammar, February 2, 1575. [*Reg. Sec. Sig.* xliii. 1575-1576.]

Ane lettre maid to Maister George Young Gevand grantand and committand to him full power and priuilege that he allane and nane vtheris sall imprent or caus be imprentit the new grammer quhilk is now to be sett out to be vsit univer-

sallie throuchout this haill realme and sell the same to the lieges thairof induring all the space zeiris and termes of ten zeiris nixt following the dait heirof chairgeing and inhibeting all vtheris imprentaris and lieges of this realme quhatsumeuir That nane of thame tak upown hand to imprent or sell, or caus be imprent or sauld within this realme or outwith ony of the buikis foirsaidis or bring thame hame to be sauld except it be with the speciall licence and tollerance of the said Mr. George had and obtenit thairto within the space befoir exprimit vnder the pane of confiscation of the same &c. Provyding alwayis that the said Mr. George sell and caus the saidis grammeris to be sauld commonlie to the lieges of this realme at sic prices as our souerane Lord with auyse of the said regent and Lordis of Secrete Counsall sall imput thairupoun &c. At Halyrudehous the Secund day of Februare The zeir of God, Im vc lxxv zeiris.

No. V.

Licence to Alexander Arbuthnet and Thomas Bassenden to print Bibles, June 30, 1576. [*Reg. Sec. Sig.* xliii. 1575-1576.]

Ane Letter maid to Alexander Arbuthnet burges of Edinburgh and Thomas Bassindyne prentare and burges of the said burgh Gevand grantand and committand to thame licence and priuilege to prent and caus be imprentit set furth and sauld within this realme or outwith the samin Bibillis in the vulgare Inglis toung in haill or in partis with ane callindare to be insert thairin for the space of ten zeiris nixt and immediatlie following the first begynning quhilk was the xxvij day of Merche the zeir of God Imvc lxxvj zeiris of the said volume fra thynfwrth to indure ay and quhill the full completing and furthrynnyng of the saidis ten zeires allanerlie with power &c.

Dischargeing all and sindrie his heines liegis of quhatsumeuir estait or degre thai be of alsweill to burgh as to land as alsua strangearis repairing within this realme That nane of thame tak vpoun hand at ony tyme eftir the publicatioun of this his hienes priuilege during the said space of ten zeiris To prent or caus be imprentit in ony carrecture or lettir translatioun or volume quhatsumeuir sell or caus be sauld brocht hame or distribute to ony persoun or persounes (except with the consent of the saidis Alexander and Thomas) vnder the pane of confiscatioun nocht onlie of the saidis volumes quhilk sal happin to be sua fund with ony persoun Bot alsua that the persoun offendane and contravenan of the premisses or ony part thairof To pay the sowme of ane hundreth pundis sa oft as thai sall happin to be apprehendit thairwith The ane half of the said confiscatioun and soumes to be ressavit to oure soverane Lordis vse and the uther half to the saidis Thomas and Alexanderis vses And this priuilege to indure the foirsaid space Providing that thai sell the saidis bibillis to all oure souerane Lordis liegis according to the prices appointit viz. everie bibill for four pundis xiij s iij d with all and sindrie fredomes commoditeis &c.

No. VI.

Gift under the Privy Seal to Alexander Arbuthnot to imprent the Psalme buik, &c. Apr. 1, 1579. [*Regist. Sec. Sig. vol.* xlvi. *f.* 43.]

Ane Letter maid to Alexander Arbuthnot burges of Edinburg Gevand grantand and committand to him privilege and full power To imprent and caus be imprentit the psalme buik in prois and meter with the prayaris and catechismes in englische and latyne Induring the space of sevin yeiris nixt following the dait heirof, &c. with command and charge in the same

to all and syndrie imprentaris wrytaris and uthers liegis within this realme That nane of thame tak upoun hand to Imprent sell or caus be imprentit be quhatsumever persoun or personis ather within this realme or outwith the same in ony tyme heirefter induring the said space the said psalme buik in prois and meter with the prayaris and catechismes in inglis and latyne under the pane of confiscatioun of the same the ane half to oure Soverane Lordis use and the uther half to the said Alexander Arbutnot with command in the same alsua to all and sindrie proveistis baillies and officiaris of burrowis within this realme That thai serche and seik the contravenaris of this privilege and caus the samyn be put to dew execution conforme to the tennour thairof in all points during the space foirsaid &c. At Striviling castell the first day of Appryle The yeir of god Im v^{c} threscoir nynetene yeirs.

No. VII.

Licence to Alexander Arbuthnot to Print the Bible. Aug. 24, 1579. [*Regist. Sec. Sig. vol.* xlvi.]

Ane Letter maid to Alexander Arbuthnot prenter burges of Edinburgh makand constituand and ordinand him prentar to oure soverane Lord and gevand to him the office thairof for all the dayis of his lyftyme with all priviledges and immuniteis belanging thairto vsit and wont To be bruikit occupyit and joisit be him als frelie in and be all things as ony prenter to his hienes or his predicessouris did of befoir during the said space with power to the said Alexander To imprent or cause be imprentit all sic workis and volumes as salbe thocht meit and expedient to his Majesteis estaitis and Lordis of his Previe Counsall set or to be set furthe in the Latyne Inglis or Vulgar Scottis toungis tending to the glorie of God and commoun weill of this realme

he obtening first speciall licence thairvpoun as effeiris And likewayis be thir presentis gevis and grantis speciall licence and priuilege to the said Alexander to imprent or caus be imprentit set furthe and sauld within this realme or outwith the samin bybillis in the Vulgar Inglis Scottis and Lateine toungis in haill or in pairtis with ane Callendar to be set furthe thairin for the space of ten zeiris nixt and immediatlie following the dait heirof, and to hyre and bring hame quhatsumevir persoun or persounis it sall pleis him of quhatsumeuir cuntrey or natioun thai be of for imprenting and binding of the saidis workis promittand that thai sall saulflie remane thairin during the said space, and frelie depairt furthe of the samin but ony trubill or molestatioun to be made to thame be ony of his hienes subjectis in thair cuming remaning or away passing they behaueand thame selfis dewtifullie and doand and attemptand na thing directlie or indirectlie in hurt or prejudice of oure said souerane Lord his realme and liegis discharging all and sindrie his hienes subjectis of quhatsumeuir estait or degrie thay be of alsweill to burgh as to land as alsua strangears repairing within this realme that nane of thame tak vpoun hand at ony tyme efter the publicatioun of this present priuilege during the said space of ten zeiris To imprent or caus be imprentit within this realme in ony carrectar letter translatioun or volume quhatsumeuir ony of the saidis bibillis or ony pairt therof Except with the consent of the said Alexander vnder the pane of confiscatioun not onlie of the saidis volumes quhilkis sal happin to be sa fund with ony persoun bot alsua that the persoun offendar and contravenar of the premisses or ony part therof to pay the sowme of twa hundrithe pundis money sa oft as thai sal happin to be apprehendit therwith the ane half of the confiscatioun and soumes to be resauit to his Majesties vse and the vthir half to the vse of the said Alexander and this priuilege for the said space to indure provyding that he sell the saidis bibillis to be imprentit in tyme cuming as said is to all the lieges of this realme according to the prices to be appointit be his hienes and the personis that sal haue commissioun of his Majestie to that effect at the compleit end of the samin in haill or in pairt with all and syndrie vthiris commoditeis fredomes &c. frelie quietlie weill and in peace but

ony reuocatioun or agane calling quhatsumeuir &c. commanding the Lordis of Counsall and Sessioun to direct Letters with executiouns heiron sa oft as neid beis in forme as effeiris and als commanding his hienes sheriffis proveistis bailleis and counsall of burrowis and all vtheris his Majesteis officiaris and sercheris that thai serche the contrauenaris of this present priuilege sa oft as thai sal be requirit thairto be the said Alexander under all hiest pane and charge that efter may follow. At the castell of Striuiling the xxiiij day of August the zeir of God Im vc threscoir nyntene zeiris.

No. VIII.

Gift under the Privy Seal to Robert Walgrave Prenter. Oct. 9, 1590. [*Reg. Sec. Sig.* lxi. 58.]

Ane Letter maid to Robert Walgrave makand and constituand him oure Soverane Lordis prentare and gevand to him the privilege thairof for all the dayis of his lyiftyme With power to him and na uthires be himself and his servandis for quhome he sal be haldin to ansuer To Imprent and caus be Imprentit all and sindrie actis of Parliament utheris actis statutis proclamations letteris and chargeis concerning his Majestie and his estait As alsua all and sindrie buikis volumis werkis and writtis quhilkis salbe seine allowit and approvit be his Majestie the presbiterie or sessioun of Edinburgh and thairupoun to sell and dispone at his pleasure And to the effect he may the mair frielie use and exerce this present privilege His hienes hes alsua taikin and be thir presentis takis the said Robert under his Majesties speciall protectioun mantenance defence and saulfgaird As alsua hes exemit and be thir presentes exemis him fra all watching warding and fra all payment of taxt stent contributioun bering or sustening of ony uther charge within burgh or utherwyse

the said space And will and grantis that he nor his saidis servantis sall nocht be callit nor accusit civillie nor criminallie be ony manner of way for the caus foirsaid nor incur na skaith nor danger thairthrow in thair personis or guidis nochtwithstanding ony his hienes actis statutis proclamationis inhibitionis or charges maid or to be maid and direct in the contrair Quhairanent and panis contenit thairin his Majestie dispensis be thir presentis &c. With expres charge and command in the samin to all and sindrie Shireffis Stewartis Provestis and baillies of burrowis and utheris his hienes officiaris and ministeris of his lawis liegis and subdittis quhatsumever To suffer and permit the said Robert to brouk and injoy the present privilege protectioun and exemptioun in all points And to do nor attempt nathing to the brek and violatioun of the samin As thai and ilk ane of thame will ansuer to his hienes upoun thair obedience at thair uttermost charge and perrel and under all hieast pane cryme and offence that they may commit and Inrin agains his Majestie in that behalf &c. At Halierudhous the nynt day of October the yeir of god Imv^{c} fourscoir ten zeiris.

Per Signaturam.

No. IX.

Licence to Zacharie Pont to be chief Printer. Oct. 28, 1590. [*Reg. Sec. Sig.* lxi. 1590.]

Ane Lettere maid to Mr Zacharie Pont Gevand and grant- and full libertie freedom and licence to him to exerceis & use be himself his servandis and deputtis the office of chief imprentare within his hienes realme and to imprent all kynd of buikis set furth in ony kynde of toung or language not forbiddin be the statutis and lawis of his Majesties realme With power to him and his foirsaidis to sell dispone and use the saidis buikis to be imprentit as he sall think expedient and to use all utheris liber-

teis pertenyng to the said office not prejudiciall to his hienes lawis in all tyme cumming during his lyftyme but stop or impediment, &c. At halierudhous the xxviij of October The zeir of God foirsaid.

No. X.

Licence to Johne Nortoun, Inglischeman, for Inbringing and selling of Bukis. Jun. 25, 1591. [*Reg. Sec. Sig.* lxxii. 88.]

Ane Letter maid Makand mentioun That oure Soverane Lord having respect to the singular luife his Hienes beires to leirning and to all that may advance the samin amang his hienes subjectis for quhais weill he is maist cairfull willing thame to be furnist of all sortis of guid bukis, and that upoun guid and easye prices; And being credablie informit That John Nortoun, Inglischeman, having be the space of four zeiris last bypast useit and exerceit himself in the tred and traffique of Inbringing and selling of buikis upoun easye prices within his Majesteis burgh of Edinburgh, and utheris his Majesties burrowis within this realme in ane honest maner, But ony offence to ony his hienes lieges, And his Majestie being willing that the said Johnne Nortoun continew in the said tred and traffique of Inbringing of buikis and selling thairof as of befoir but ony trubill or impediment to be maid to him, his factouris and servitouris in his name be ony of his hienes Jugeis or liegis within this realme thairanent, &c. Geveand grantand and disponand Lyke as his hienes Gevis, grantis, and disponis to the said Johne Nortoun, his factouris and servitouris in his name His hienes full power, libertie, and licence to exerce and use his said tred and traffique of Inbringing and selling of all sortis of buikis in all langeageis and provin scienceis within this realme

as of befoir within the said burgh of Edinburgh, and uther pairtis of this realme With command in the said letteris to the Provost and bailies of the said burgh of Edinburgh and utheris provestis and baillies of burrowis and Jugeis ordinar within this realme That thai nor nane of thame tak upoun hand to Inquyet trubill areist or mak impediment to the said Johne his factouris and servitouris in his name at onywyis or at ony tyme heirefter during his lyvetyme In using and exerceing of his said tred and traffique of buikis selling, as of befoir within the said burgh of Edinburgh and utheris burrowis and pairtis within this realme. Notwithstanding ony actis maid or to be maid in the contrair Quhairanent his Majestie dispensis with the said Johne for ever And that publicatioun be direct be the Lordis of Sessioun and thair letteris of the said gift to be publischeit at the marcat croce of Edinburgh foirsaid and utheris burrowis and pairtis of this realme neidfull Swa that nane of oure Soverane Lordis liegis pretend ignorance thairof But obey the samin as thai will ansuer to our said Soverane Lord upoun thair obedience and uttermost perrell, &c. At Edinburgh, the xxv day of Junij the zeir of God I^{m} v^{c} lxxxxj zeiris.

No. XI.

Andro Hart contra the Customaris.
In Scaccario, primo Junii 1597.

Sederunt vrq^{rt} blantyre Newbottle clericus registri aduocatus eglishame ormestoun Carmichaell elimosinar.

Anent the Supplicatioun gevin in befoir the saidis lordis of Chekker be Andro Hart burges of Edinburgh Makand mentioun That quhair he haifing considderatioun quhat hurt the liegis of this realme sustenit throw the skairsitie of buikis and volumis of all sortis and to quhat exhorbitant prices the buikis

and small volumis wer rissin vnto qlkis war brocht hame frome lundoun and vtheris parttis of Ingland and sauld in this cuntrey at the third advantage he vpoun ernest zeall to vertew and vp bringing of youth within this realme interprysit a lang tyme bypast the hame cuming of volumis and buikis furth of almanyie and germany fra the qlkis the maist part of the best volumis in Ingland ar brocht The said complenar menit him to his Majestie and lordis of secreit counsall for the tyme and obtenit ane decreit aganis John Gourlay customar of Edinburgh Chairgeing him and all vtheris customaris of quhatsumeuir vtheris burrowis and portis of this realme To decist and ceis fra all asking craving or suting of ony custome fra him for ony buikis or volumis brocht or to be brocht and sauld be him within this realme in tymcuming dischairgeing the saide customaris thereof and of ther offices in that part Provyding that he present all packis puncheonis and barrellis quhairin the saidis buikis and volumis salbe brocht hame to the customar quharthrow the same may be sene gif thair be any vtheris wairis or merchandice therin As the said decreit of the dait the xviij day of februar fourscoir nyne yeiris at mair lenth veiris Notwithstanding of the quhilk the said Johne gourlay contrar the tennour of the said decreit daylie trublis the said andro for payment to him of his custome of the said buikis and volumis To his havie dampnage and skayth Desyring thairfore the saidis lordis That thai wald chairge the said Johne gourlay customar foirsaid and all vtheris customaris of quhatsumeuir vtheiris burrowis and portis of this realme To decist and ceis fra all asking craving or suting of ony custome fra him for ony buikis or volumis brocht or to be brocht or sauld be him within this realme in tym cuming Dischairgeing tham thereof and of ther offices in that part Conforme to the tennour of the said decreit Lyke as at mair lenth is contenit in the said supplicatioun The said andro hart complenar foirsaid being personalie present all his richtis ressonis being hard sene and vnderstand and therwith being ryplie advysit The lordis auditouris of our souerane lordis chekker haifing respect and consideratioun of the foresaid supplicatioun and contentis therof And how be diuerse thair allegeāces subscryit with thair handis [thai] had gevin command to the said John gourlay customar foirsaid

and all vtheris customaris therof as alsua of all vtheris burrowis and portis of this realme To decist and ceis fra all asking craving or suting of ony custome fra the said complenar for ony buikis or volumis brocht or to be brocht in or sauld within this realme ffindis declaris and ordanis that thair salbe na maner of custome or customes askit sutit or tane fra the said complenar for ony buikis or volumis alreddie brocht in or to be brocht in be him within this realme in ony tyme cuming And therfoir ordanis the said John gourlay customar foirsaid and all vtheris customaris of Edinburgh present or that salhappin to be for the tyme as alsua all vtheris customaris of quhatsumevir burrowis and portis of this realme To decist and ceis fra all asking craving or suting of ony custome fra the said andro hart complenar foirsaid for ony buikis or volumis brocht in or to be brocht in or sauld be him within this realme in ony tyme cuming discharging tham therof and of ther offices in that part conforme to the tennour of the foirsaid decreit gevin be the saidis lordis of secreit counsall thervpoun of the dait abone specifiet Lyke as the samyn schawin and producit befoir the saidis lordis auditouris of Chekker proportit and buir and ordanis lettres to be direct heirvpoun gif neid beis in forme as effeiris.

Register of Exchequer.

No XII.

Licence to John Gibsoun to Prent Ane New Psalme Buik.
July 31, 1599. [*Reg. Sec. Sig.* lxxi. 1599-1600.]

Ane Lettre maid makand mention That his hienes being perfytlie informit how Johne Gibsoun his hienes buik binder hes vpoun his awin grit charges and be his priuate meane and deuyse causit imprent within Middilburgh in Flanderis ane new psalme buik in litill volume contening baith the Psalmes in

verse as lykwayis the samyn in prose vpoun the margine thairof In ane forme nevir practizit nor devisit in any heirtofoir And tending gritlie to the fortherance of the trew religion and the particular weill of the professouris thairof within this realme Quhairfore to the intent he be not frustrat of the commoditie due to his said inventioun and debursement Thairfoir gevand and grantand his hienes full frie and onlie Licence and Libertie to him his airis and assignais To caus bring hame the said haill impressioun of the psalmes in the foirsaid forme Sell and Dispone thairon to his hienes liegis at conuenient pryces and use thame euerie way to his behove Dischairgeing all vtheris his hienes leigis of quhatsumeuir tred or calling To by bring hame or sell anie of the said impressioun and forme without the special Licence of the said Johne Gibsoun had and obtenit thairto And gif onie persoun or personis hes alreddie brocht hame the same to the speciall hurt and prejudice of the said Johne inhibiteing and expresslie dischargeing thame, thair seruandis or onie vtheris in thair names of all selling out making mercat or exchangeing thairof during the space of sevin yearis nixt to come eftir the dait heirof vnder the pane of confiscatioun of thair haill moveablis the ane half thairof to be applyit to his hienes use and the other to the said Johnis use and behove Requyring the Lords of Sessioun to Grant speciall Lettres of publicatioun heirupoun Conteining the discharge & inhibitioun befoir specifeit &c. At Falkland the last day of July The zeir of God I^{m} v^{c} Lxxxxix zeiris.

No. XIII.

Licence to Robert Smyth to Imprent the Double and Single Catechismes, Psalme Buik, &c. &c. Dec. 3, 1599. [*Reg. Sec. Sig.* lxxi. 1599-1600. *Fol.* 86.]

Ane Letter maid to Robert Smith librar burges of Edinburgh gevand grantand and disponand to him Licence and priviledge

to imprent be himself his servandis and vtheris in his name within this realme the double and single catechismes the plane donat the haill four pairtis of Grammar according to Sebastiane the dialogues of Corderius the celect and familiar epistles of Cicero the buik callit Sevin Seagis the ballat buik the secund rudimentis of Dunbar the psalmes of Buchannan and *psalme buik* als oft as occasion sall serve and as the said Robert sall think meit and expedient during all the space and zeiris of tuentie fyve zeiris nixt efter the day and date heirof With power to the said Robert be himself and vtheris in his name to use and exerce the airt and craft of imprenting of the saidis volumes and warkis with all and sindrie friedomes priviledges and immunities pertening and belanging to the airt and craft of imprenting sicklike and als frielie in all respectis as onie vther heirtofor hes uset or may use and exerce the samyn in tyme cuming. With express command and inhibition to all and sindrie oure Souerane Lordis Liegis and subjectis that they nor nane of thame presume nor take vpoun hand to imprent onie of the saidis buikis and volumes or to caus the samin be imprentit within this realme or outwith the samin or zit to by and bring with the samen furth of onie vther pairtis ony of the saidis warkis to sell the same within this realme during the space above written ilk persone vnder the pane of fyve hundreth pundis and confiscatioun of the haill buikis that sall happin to be imprentit brocht hame or sauld be ony vther persone nor the said Robert according to the tennoure heirof The ane half of the samen to be applyit to oure saide Souerane Lordis vse the other half to the said Robert for his labouris and painis Certefieing the saidis persones and everie ane of thame and they or ony of thame do or attempt ony thing in contrair heirof tending to the hurt and prejudice of the said Robert the forsaid pain and confiscatioun salbe vseit and execute aganis thame with all rigour and to this effect gevis and grantis speciall power and commissioun during the space above writtin to the said Robert or onie vtheris quhome he pleisis to appoynt and nominat to search seik and apprehend the forsaidis warkis and volumes imprentit brocht hame or sauld within this realme be onie vther persone or persounes nor the said Roberts self and his foirsaidis And

ordanis vtheris Lettres gif neid beis to be direct thairupoun be the Lordis of Sessioun Secreit Counsall or Exchequer for publicatioun heirof at the mercate croce of Edinburgh and vtheris places neidfull frielie quietlie &c. But onie reuocatioun &c. At Halierudhous the third day of December The zeir of God I^{m} v^{c} fourescoir nyntene zeiris.

No. XIV.

Gift under the Privy Seal to Maister Robert Charteris, Prentar, Dec. 8, 1603. [*Reg. Sec. Sig.* lxxiv. 143.]

Ane letter maid Makand constituand and ordinand Maister Robert Charteris printer to our Soverane Lord and gevand to him the privilege thairof for all the dayis of his lyfetyme With power to the said Mr Robert (and nane utheris) be himselff and his servandis for quhome he salbe haldin to ansuer To imprent and caus be imprentit all and sindrie actis of parliament uther actis statutes proclamationes letteris and charges concerning his Majestie and his estait As alsua all & sindrie buikis volumes werkis and writtis quhilkis salbe seine allowed and approved be his Majestie the presbiterie or Sessioun of Edinburgh and thairupone to sell and dispone at his pleasure And to the effect that the said Mr Robert may the mair frielie use and exerce this present priviledge his hienes hes alswa takin and be thir presentis takis the said Mr Robert under his Majesteis speciall protectioun mantenance defense and saulfgairde As alsua hes exemit and be thir presentis exemis him fra all watching warding and fra all payment of taxt stent contributioun bearing or sustening of ony uther charge within burgh or utherwayis during the said space And willis and grantis that the said Mr Robert nor his servandis sall nocht be callit nor accused civillie or criminallie be ony maner of way for the caus foirsaid nor

incur any skaith or danger thairthrow in thair persones or gudis notwithstanding any of his hienes actis statutes proclamationes chargeis or inhibitiones maid or to be maid in the contrare Quhairanent and all panes contenit thairintill his Majestie dispensis be thir presentis With expres charge and command to all and sindrie shiriffis stewartis provestis and baillies of burrowes and utheris his hienes officiaris and ministeris of his lawes liegis and subdittis quhatsumever To suffer and permit the said Mr Robert bruik and enjoy this present privilege protectioun and exemptioun in all pointis And to do nor attempt na thing to the brek and violatioun of the same as thay and ilkane of thame will ansuer to his hienes upoun thair obedience at thair uttermest charge and perrell and under all hiest pane cryme and offence that thay may commit and Inrin aganis his Majestie in that behalff &c. At Striviling the aucht day of December I^{m} v j^{c} and thre yeiris.

Per Signaturam.

No XV.

Gift under the Privy Seal to Thomas Findlasone, June 17, 1606. [*Regist. Sec. Sig. vol.* lxxv. *f.* 127.]

Ane Letter maid Makand mentioun that his Majestie understanding quhow that Thomas Findlasone merchant burges of Edinburgh having a speciall regaird that the airt of prenting quhilk is sua necessar for the commoun weill of this realme micht be adwancit and sett fordwart within the samyn hes not only to his great charges and expenssis interprysit the practesing of that airt Bot in end cuming to ane fulperfectioun thairin he hes bocht the haill liberteis and privilegeis under writtein

James in the selff at mair lenth proportis Attoure Oure said Soverane Lord with consent of the saidis Lordis of Secreit Counsall gevis and grantis to the said Thomas Findlaysone his airis and assignayis ane or ma for the haill space of tuentie fyve yeiris nixt efter the dait of thir presentis speciall licence libertie and priviledge to imprent all and sindrie buikis sonnettis pamphlettis ballottis and volumes quhairof umquhile Robert Waldegrave prenter had priviledge speciall warrand and licence of his Majestie for the tyme Quhilkis haill licences war annaleit disponit and the haill richt thairof transferrit in the persone of the said Thomas Findlaysoun be Marie Waldegrave relict of the said umquhile Robert Waldegrave with consent of hir bairnis as in the said dispositioun subscrivit be the said Marie of the dait the last day of Marche Im vjc and foure at mair lenth is contenit And siclyke Oure said Soverane Lord with advyse of the saidis Lordis of secreit counsall Ratifies approvis confermis and of new gevis to the said Thomas Findlaysone his airis and assignayis ane or ma during the said haill space of tuentie fyve yeirs nixt heirefter following The gift priviledge and licence gevin and grantit be his hienes under his previe seill to umquhile Robert Smyth prentar in anno Im vc fourscoir nynetene and thairefter Ratified approved confirmit and of new gevin to Robert & David Smythis successive lauchfull bairns to the said umquhile Robert Smyth, in anno Im vjc and tua yeiris for the space of tuentie fyve yeiris nixt efter the dait of thair said gift for prenting of the dowbill and singill Catechismes, the plaine donat, the haill four pairtis of gramer according to Sebaustiane the dialogues of Corderius, the celect and familiar epissillis of Cecero, the seawen seages, the ballat buik, the secund rudimentis of Dumbar, the psalmes of Buchannane, psalme buik, the feabillis of Esope, Gray Steill, the first rudiments of Dumbar, the testament of Cressed and the winter night, as in thair said gift contening dyvers liberties preveledges and conditiones at lenth is contenit Quhilkis giftis priveleges and licences with the haill heidis clausis articles and contentis thairof with letteris of publicatioun raisit publischit and registrat at the instance of the saidis umquhile Robert and his saidis bairnis thairupone war sauld annaleit and disponit to the said Thomas Findlay-

soun his airis and assignayis ane or ma be Jonet Gairdine relict of the said umquhile Robert Smyth and be James and Adame Gairdines factoris and doaris to the said umquhile Robert his bairnis with adwyse and consent of David Smyth of Collace uncle and tutor to the saidis bairnis and with adwyse and consent of Johnne Gairdin guidsir to the saidis bairnis Johne Howysoun and Walter Hendersone freindis and owersearis to the saidis bairnis as in the said dispositioun and translatioun subscryvit be the saidis pairteis of the dait the tuentie nyne day of October Im vjc and tua yeiris at mair lenth is contenit Attour Oure said Soverane Lord with adwyse of the Lordis of Secreit Counsall gevis and grantis his hienes speciall power and priviledge to the said Thomas Finlayscun his airis and assignayis ane or ma during the said haill space of tuentie fyve yeiris nixt efter the dait heirof To mak or caus be maid all sortis of playing Cardes Cartes Mappes plattis and drauchtis of Cuntreyis Cities Townis Schyres and uther portrestis and pictouris of men and women in prent or in Talzeduce as the said Thomas sall think expedient of quhatsumever sort or faschoun greit or small and to that effect to bring or caus be brocht from uther Cuntries paper of all sortis prenting Ink and uther necessar materiallis belanging or that are necessar to him in the said airt of prenting making or playing Cairdis Mappis Cairtes plates and drauchtis of Cuntries Cities and Tounes piktouris and portraictis of men and women of all sortis or ony uther overturis to be maid be him during the said space of tuentie fyve yeiris nix to cum As also to sell within this realme or to transport and send furth of the same all sick buikis, playing Cardes Mappes Cairtes and pictouris as he can not sell and dispone within the samyn And Ordanis the said buikis Cairtes Mappis portraictis paper prenting Ink and uther materiallis to be transportit furth of this realme or inbrocht within the same be him and his foirsaids to be frie of all custumes impostis and uther charges to be takine thairof be quhatsumever custumaris searcheris or uther officiaris of quhatsumever estait during the said space of tuentie fyve yeiris And forder to the intent that the said Thomas and his foirsaidis may the mair frelie use and exerce this present priviledge and licence in all poyntis during the said space of tuentie fyve yeiris Our said

Soverane Lord hes also takin and be thir presentis takis the said Thomas Findlaysoun and his foirsaidis under his hienes speciall protectioun mantenance and saulfgaird as alsua hes exemit and be thir presentis exemis him and his foirsaids during the said space of tuentie fyve yeiris nixt efter the dait of thir presentis frie fra all watching warding and fra all payment of stent tax subsedie and contrabutioun and bering and sustening of ony uther chairge within burgh or outwith the same or utherwayis during the said space of tuentie fyve yeiris and that he sall sell by and use his lauchfull trede frie without ony inquietatioun or molestatioun and willis and grantis that he his foirsaidis nor thair servandis sall not be callit nor accusit civilie nor criminallie be onie maner of way for the caus foirsaid nor incur na skaith nor danger thairthrow in thair persounes and guidis nochtwithstanding onie of his Majesties actis statutis proclamationis Inhibitionis or uther charges maid or to be maid or direct in the contrare Quhairanent and all paines contenit thairintill his Majestie dispensis be thir presentis With expres command and charge to all and sindrie Shiriffis Stewartis Provestis and Baillies of Burrowis custumeris searchearis and uthers his hienes officiaris and ministeris of his lawis lieges and subjectis quhatsumever to suffer and permit the said Thomas to bruik and joyse this present priviledge protectioun and exemptioun in all poyntis and to do nor attempt na thing to the brek and violatioun of the same as thay and everie ane of thame will ansuer to his Majestie upoun thair obedience at thair uttermost charge and perrill and under all hyest pane cryme and offence that thay may incur and committ aganis his Majestie in that behalff Ordaining letters of publicatioun to be direct heirupone in forme as effeiris At Edinburgh the sevintene day of Junij The yeir of god I^{m}vj^{c} and sex yeiris.

No. XVI.

A Letter Constituting Thomas Finlason his Majestie's Printer, June 17, 1612. [*Reg. Sec. Sig.* lxxxii. 1612-1614.]

Ane Letter maid makand mentioun That oure Soverane Lord understanding that the gift of the priviledge to be his hienes printer hes fallin and becum in his hienes handis at his dispositioun Throw being of Mr Robert Charteris to quhome the samyn appertenit denuncit lauchfullie rebell and put to his hienes horne at the instances of George and Margaret Smythis upoun the tuentie fyve day of August The yeir of god Imvjc and nyne zeiris for not payment to thame of certane sowmes of money and contemptuouslie remaining thairat attour the space of yeir and day with the haill privilegis of printing pertening to him the tyme of his rebellioun foirsaid As alsua that the said Mr Robert is altogidder unhable to exerce the said office and discharge that dewtie that appertenit to his hienes printer And hawing speciall consideratioun of the necessar and proffitable trawellis to the advancement of God his glorie his hienes service and to the greit weill of all his hienes guid and loveabill subjectis imployed and to be imployed be Thomas Findlasoun printer upoun his greit coist and charges quhilk may not weill be sustenit be him unles he be authorizit with the gift of the priviledges and immunities underwritten Thairfore with advise of the Lordis of his hienes Secreit Counsall Ordanis ane Letter &c. To the said Thomas Findlasoun makand constituand and ordainand him printar to oure Soverane Lord and gevand the priviledge thairof to him in all langages for all the dayis of his lyiftyme Togidder with the haill priviledges of printing pertening to the said Mr Robert With power to the said Thomas Findlasoun and no utheris be himselff and his servandis for quhome he salbe haldin to ansuer to imprint and caus be imprintit all and sundrie *vtheris* actis statutis proclamatiounis

letteris and chargis concerning his Majestie and his estait As also the buikis of holy scriptour contening the auld and new testamentis in all langages in haill or in part and in quhatsumever volumes grytt or small approvit Cronicles of Scotland in Latine and Inglis and all and sindrie buikis volumes workis and writtis quhilkis salbe seine allowit and approvit be his hienes The haly fatheris in God the archbischoppis of Sanctandros or Glasgow The presbeterie or Sessioun of Edinburgh and thairupoun and all uther buikis aggriable with Goddis word and liberall sciences to by sell and dispone at his pleasour &c. And Mairattour becaus the Lordis of his hienes secreit Counsall in speciall contemplatioun of the reddie and guid service done be the said Thomas to his hienes and the saidis Lordis at all occasionis hes grantit and gevin speciall and onlie privilege and licence to him to imprint and caus be imprintit The articles concerning the Justices of Peace and Constabillis within the said realme The buik of Customes Rates and valuatione of merchandice with certane utheris buikis particularlie specifyit in the actis of the saidis Lordis of secreit counsall maid thairupoun As also the said Thomas Findlaysoun hes be his hienes gift under the previe seill ratifeit approvin and of new gevin to him for the space of Twentie fyve zeiris nixt eftir the dait of the said gift certane liberties and privileges for imprinting of diverse buikis and furnessing necessaris for printing particularlie expressit in the said gift of the dait at Edinburgh the seventene day of Junii I^{m}vj^{c} and sex zeiris his hienes with advise of the saidis Lordis of his secreit counsall Ratifies approves and of new gevis to the said Thomas Findlaysoun his airis and assignais for the space of tuentie yeiris nixt to cum eftir the dait of thir presentis The onlie priviledge and licence to Imprint and caus be imprintit the buikis contenand the saidis actis of Counsall and in the foirsaid gift quhilkis actis of counsall and gift forsaid haill clauses and articles of the samyne his hienes with adwyse foirsaid willis and grantis be thir presents to be of als gryt strength force and effect as gif they war in speciall insert heirin halding the samyne as speciallie repeatit and ingrossit in this present gift dischargeing all printeris buik selleris and all vtheris his hienes lieges within his hienes king-

dome of Scotland To print or caus be printit within or outwith the said realme any of the saidis haill buikis particularlie specifeit heirin in the saidis actis of counsall or gift foirsaid gevin under his hienes previe seill to the said Thomas of the dait foirsaid or to bring hame or ony wayis to sell the samyne within the said realme during the said haill space of tuentie zeiris nixt and immediatlie following the dait of thir presentis Exceptand alwayis the byble the new testament and the psalme buik quhilkis sall nawayis be comprehendit vnder this present gift bot speciallie reservit and exceptit furth thairof vnder the pane of fyve hundereth merkis money of this realme The ane half to his Majesties use and the vther half to the use of the said Thomas Findlasoun and his foirsaidis by and attour the confiscatioun of the haill buikis so to be imprintit brocht within this realme or sauld The ane half to his hienes vse the vther to the use of the said Thomas and his foirsaidis &c. At Wanstead The sevintene day of Junii The zeir of God I^{m} sex hundereth and tuelf zeiris.

No. XVII.

Proclamatioun anent Prenting of Bookis, Jul. 2, 1612.

Forsamekle as it is fundin be daylie experience that grite harme doeth aryse by prenting and publishing of erronious hereticall sclanderous seditious and treasonable bookis wheras if the same wer first perused, the divulgating of all erronious opinionis in religioun and sclanderous seditious and treasounable reportis in historyis and utherwise micht verie easilie and with litle diligence and cair be prevented, Thairfoir the Kingis Majestie with advise of the lordis of secrete counsell doeth hereby command charge and inhibite all prentaris and sellaris of bookis in this kingdome, That they onnawyce presome nor tak upoun hand at ony tyme after the publicatioun heireof to put to the

presse ony book of divinitie or devotioun except the same be first perused and approved by one of the archbischoppis, and yf the same be of historie or ony uther pairt of humanitie, that it be sene and allowit be the secretary, and yf law that it be perused be suche commissioneris as his Majesties Chancellor and College of Justice sall appoint and that it be testifeit under thair handis that the bookis to be prentit contene no thing contrarie to the treuth of sincere religioun good manneris or the lawis of the realme, And becaus mony bookis ar brocht and sauld in this kingdome quhilkes ar not prented within the same Thairfoir his Majestie with advise foresaid doeth command charge and Inhibite all booksellaris quhatsomever, that at quhat tyme thay bring home ony bookis to be sauld, thay do no way presome to utter ony wrettin be ony popishe or suspect wreater without licence obtenit of the Bischop of the diocye or his Majesties secreter whiche of thame salhappin to be for the tyme nixt at hand, And ordanis letteris to be direct to mak publicatioun heirof be oppin proclamatioun at the mercat croce of Edinburgh and utheris placeis neidfull quhairthrow nane pretend ignorance of the same And to command and charge all prentaris and sellaris of bookis within this kingdome that they conforme thameselffis to this present act and ordinance and onnawyse violat the same in ony point under the pane to be seveirlie puneist in thair persone and goodis at the arbitrement of the counsell.

Followis his Majesties Warrant for the Act abone written.

No. XVIII.

Proclamatioun anent the Prenting of Bookis beyond sea, Jun. 1615.

Forsamekle as it is understand to the Kingis Majestie and Lordis of Secreit Counsaill That diverse Ministeris and otheris

subjectis of this kingdome hes of laite tane a course to send some bookis and pamphletis to be prentit beyond the seas especiallie At Middleburgh, The same not being revised and allowit by these whome his Majestie hes authorizeit with that priviledge whilk with tyme may breid grite inconvenientis bothe to this estate and kirk yf remied be not provydit Thairfoir the saidis Lordis Ordanis lettires to be direct To Command charge and inhibite all and sindrie his Majesties liegis and subjectis alswele ministeris as otheris quhatsumevir be oppin proclamatioun at the mercat croceis of the heade burrowis of this realme and utheris places neidfull That nane of thame presome nor tak upoun hand to send ony bookis wryttings or pamphlettis of quhatsumever subject to be published and prented beyond the sea, except the same haif bene first revised and approved by the Archbischoppis of Sanctandrois and Glasgw and by his Majesties secretarie of estate Certifieing thame that salbe [fundin] to contravene and transgres this his Majesties commandment That thai salbe accomptit and punished as raisaris of shisme seditioun and invaderis and contravenaris of his Majesties auctoritie with all rigour to the example of utheris.

No. XIX.

Licence to Gilbert Dick for the space of 19 *years to print two Catechisms, Feb.* 10, 1618. [*Registrum Secreti Sigilli.*] LXXXVII, 1617-1619. *Fol.* 67.

Ane Letre maid be oure Souerane Lord with advys and consent of ane reverend father in God John Archbischope of St Androis premet of the kingdome of Scotland and of the remanent Lordis his hienes commissionaris appointet for doing of his hienes effaires within the said kingdome Makand mentioun That forsamekill as be ane act maid in the Generall Assemblie

At Aberdeine within the said kingdome of Scotland be the Archbischoppis Bischoppes ministeris and commissionaris of the said kingdome vpone the day of August I^m vj^c and sextene zeires It was concludit statute and ordanit That tua catechismeis sould be formed and set doun be certane of the bretherene and ministerie appoyntit for that effect to be taucht within the kirkes of the said kingdome of Scotland in all tyme comming And that the samen sould be Imprentit sua that the samen may be sould and distribute amongis his hienes leidges And in respect that the saidis tua catechismeis ar now formit and set doun conforme to the said Act And that it is necessar that conform thairto the samin be Imprentit And that ane honest and discreit persoun quha is apt and able for the imprenting thairof And will be answerable to his hienes thairfoir be appoyntit thairto Thairfoir His Majestie with advys and consent foirsaid Gevand Grantand and Committand full power libertie and licence to his hienes lovit Gilbert Dick librare burges of Edinburgh or ony otheris sufficient prentaris in his name and under his tollerance To caus Imprent the saidis tua catechismes appointit and set doun be the said Generall Assemblie and thair commissaris in thair names to be taucht within the said realme of Scotland and kirkis thairof conform to the Act of General Assemblie forsaid and efter the Imprenting thairof With power to the said Gilbert Dick his aires executors and assignies to Sell and Distribute the samen throuchout the said haill realme of Scotland to the effect that all oure soverane Lordis Leiges may cum to the better knowledge Inhibitting and Discharging all and sindrie his hienes subjectis and leidges of the said kingdome and of the remanent his Majesties dominiones that nane of them take vpon hand to Imprent or caus imprent Sell or caus be sauld by or caus be bocht within the said kingdome of Scotland or outwith the samen ony of the saides catechismes appoyntit to be set doun formit and prentit be the said Act of Generall Assemblie in manner foirsaid induring the space of nyntene zeiris next efter the day and dait heirof without the speciall advys licence and consent of the said Gilbert Dick and his foirsaidis first had and obtenit thereto under the pane of the escheitting of the samen to the said Gilbert and his foirsaidis

and paying to him and them of the soume of ane hundreth pundis money to be takin up be them to their utilitie and profeit enduring the speace foirsaid fra ilk ane of the contraveneris of this hienes priviledge gift licence inhibitioun and discharge als oft and how oft it sall happin them or onie of them to brek or contraveine the samen Bot that they by the samen catechismes fra the said Gilbert Dick and his foirsaidis and vtheris having power fra him Willing also and ordaining the Lordis of his hienes counsall and sessioun to grant and direct Lettres of horning at the instance of the said Gilbert Dick vpone the simple charge of Ten dayis allanerlie for charging of all and sindrie ministeris scolemaisteris and vtheris persounes quhatsumever within the said realme of Scotland having charge of discipline thairintill and all vtheris his hienes leiges to the effect forsaid and to ansuer and obey the said Gilbert Dick and his foirsaidis anent the premises conform to the Act of Generall Assemblie and this his hienes gift and priviledge thairanent and na wayes to contraveine the samyne vnder the paynes foirsaidis And that somerlie vpone the sicht of this hienes gift and act forsaid And that Lettres of publicatioun and vthers neidfull in dew forme as effeiris be direct heirvpone At Newmercat the tent day of Februar the zeir of God I^{m} vj^{c} and auchtene zeiris.

No. XX.

Licence to Gilbert Dick for the space of 19 *years to print the book of Common Prayer and two Catechisms, June* 30, 1619. [*Registrum Secreti Sigilli*, lxxxvii. 1617-1619, *fol.* 227.]

Ane Lettre maid be our Souerane Lord with advys and consent of ane Reverend father in God and his hienes trustie and familiar counsellor John Archbischope of Sanctandrois Primat

and metrapolitane of the realme of Scotland And of the remanent Lordis of his hienes commissionaris for doing his Majesties effaires within the said realme to his Majesties Lovit Gilbert Dick librarie and burges of Edinburgh Makand mentioun that his Majestie Considdering how by ane Act of the Generall Assemblie of the Churche keipit at Aberdeine the day of August in the zeir of God Im vjc and sextene zeiris It was concludit by the archbischoppis bischoppis and vtheris Commissionaris of the ministrie within the said kingdome That ane book of common prayer with tua catechismes ane greater and another smaller sould be formit and put in ordour by certane commissionaris appointit for that effect to be read taucht and vsit within all the churches and schoillis of the said kingdome Quhilkis tua catechismes being formit conforme to the said Act his Majestie with advys foirsaid be his hienes vtheris Lettres vnder the Privie Seall of the dait the Tenth day of Februar the zeir of God Im vjc and auchtene zeiris gave and grantit to the said Gilbert Dick or anie vther printeris in his name and by his tollerance full power libertie and licence to caus imprent the saidis tua catechismes and After the printing thereof to sell and dispone vpone the same at his pleasure Inhibiting all and sindrie his hienes leidges of the said realme of Scotland and his hienes vtheris dominiounes that nane of thame sall tak vpon hand to imprent or caus imprent or being imprented by any other to sell or caus be sold any of the saidis catechismes without the advys licence & consent of the said Gilbert Dick and his forsaids first had and obtenit thairto vnder the pane of escheitting the same to the said Gilbertis vse and payment to him of the soume of ane hundrethe pundis Scottis als oft as it sould happin any of them to contraveine the same As the saidis Lettres of gift of the dait foirsaid at mair lenthe beiris Nevertheles as zit the said gift has takin litle or no effect to the great hurt and prejudice of the said Gilbert Dick Thairfor our said Soverane Lord with advys and consent foirsaid of new hes gevin and granted and by thir presents gevis and grantis to the said Gilbert Dick or ony sufficient printer in his name and under his tollerance full power priviledge and licence to imprent and caus imprent als weel the said buik of common prayeris as the

tuo foirsaides catechismes appointed to be read taucht and vsit within the churches of Scotland and Schooles thairof And efter the samen sall be imprented with power to the said Gilbert Dick his aires executores and assignees to sell and dispone vpone the samyne to the effect his hienes leidges may be sufficientlie furnischit with boikis of that nature inhibiting and discharging all and sindrie his hienes leidges and subjectis of the realme of Scotland and the remanent of his hienes dominiounes That nane of them take vpon hand to imprint caus imprint sell or caus be sauld any of the foirnamet boikis of common prayer and catechismes imprinted by any vther or without the licence of the said Gilbert Dick within the kingdome of Scotland or out with the same induring the space of nyntene zeiris nixt efter the day and dait heirof vnder the paine of escheitting all boikes of that kynd imprented without the said Gilbertis licence and his forsaidis to the said Gilbertis and his foirsaidis vse and payment making to him and them of the soume of ane hundrethe pundes money of Scotland To be takin up of all the contravenaris of this his Majesties priviledge induring the saidis nyntene zeiris als oft as it sall happin them or anie of them to break and infring the samyn with command in the said Lettre of Gift to the Lordis of his hienes counsall and sessioun vpone the sicht thairof to grant and direct letters of horning at the instance of the said Gilbert Dick and his forsaidis vpone the simple charge of Ten dayis allenarlie for chairging to the effect forsaid and to ansuer and obey the said Gilbert Dick and his forsaidis anent the premisses conforme to his hienes gift and privelege &c. and that Lettres of publicatioun be direct heiron in dew forme as effeiris Given at our manor of Greinwitche the last day of Junij The zeir of God I^{m} vj^{c} and nyntene zeiris.

No. XXI.

Licence to Sir William Alexander for the space of 31 *years, to Print the Psalms of King David, translated by King James, Dec.* 28, 1627. [*Registrum Secreti Sigilli,* c. 1627-1628, *fol.* 305.]

Ane Letre maid makand mentiown that oure Souerane Lord considering how it pleised his late Royal father king James the sext of worthie memorie for many zeires togidder to have taken grit paynes in translating of the Psalmes of King David in meeter and in conferring thairof with the most approved Hebrue translatoris vpone that subject having in his said lyftyme brocht that work to gud perfectioun And His Majestie well knowing how gud and comfortable the said wark will prove to all his hienes subjects by having those psalmes translated according to the trew meining and delyverie of that holy and princely authour and withall esteiming nothing more deir to him then to performe this said late royall fatheris intentioun for publishing the same that thairby his royal verkies and graces may still be the more recent with the posteritie of all his royall successores & loving subjectis And his Majestie lykewayes considering the great paynes already taken and to be taken by his hienes right trusty and weill beloved counsellour Sir William Alexander knycht his Majesties principall secretarie for his kingdome of Scotland to quhais cair his Majestie hath speciallie entrusted the said work in collecting and reviewing of the same and in seeing the first impressioun thairof to be carefullie and weill done and withall being gratiouslie pleased that he sould reape the benefite of his travellis thairin Therefore his hienes with advice and consent of his counsell and exchequer of his said kingdome Ordaines a Letre to be maid vnder the Previe Seall thareof in dew forme Geving and granting Lykas his Majestie with advyce and consent foirsaid

gevis and grantis to the said Sir William Alexander his aires assignais pairtneris and associatis thair servantis and workmen in thair name and to nane ellis full power libertie and sole licence during the space of threttie ane zeires nixt and immedeatlie following the dait heirof to print and caus print the said wark of the psalmes to be entituled the Psalmes of King David translated by King James With power to him and the said Sir William Alexander and his forsaids (gif neid be) to erect and establish work houses in any part of the said kingdomes as thay sall think maist expedient and to provyd all things requisite for that purpose and to print the said psalmes in quhat number they sall please during the said heall tearme of zeires And to sell bartar and dispose thairvpoune at quhat rait and after quhat forme thay sall thinke meitt throughout the haill kingdome & everie part thairof and that without any let trouble or molestatioun to be used against thame or any of thame be any of his Majesties subjectis or otheris quhatsomever and that during the space afoirsaid Prohibiting and discharging Lykas his Majestie by these presents speciallie prohibits and discharges during the said space of threttie ane zeires all and quhatsomever persones within the said kingdome als weill natives as forrayneris other than the said Sir William and his foirsaidis from printing selling and bartering thairin of the saidis buikis entituled the Psalmes of King David translated by King James without the speciall power and licence gevin to thame by the said Sir William or his foirsaidis and that vnder the pane of confiscatioun not onlie of the haill workis toolles and instrumentis made for that purpose but lykewayes of the said bookes thameselffis so to be printed sold and bartered by thame or any of thame within the said kingdome the ane half of the benefite thairof to come to his Majesties use and the other half to the vse of the said Sir William and his foirsaidis And the pairties contraveneris to be censured fyned or imprisoned at the seicht of his Majesties said Privie Counsell With speciall command to thame of his hienes said Privie Counsall and Exchequer for the tyme being to give out warrantis from tyme to tyme as they sall be requyred by the said Sir William or his foirsaidis to all Scherreffis Justices of peace Provestis Bayliffs Constables

and otheris his Majesties officeris to be ayding and assisting to find apprehend and sais vpone the said workes tooles and others necessaries for printing As lykwayes vpone the said bookes thamselffis and vpone the bodies of the transgressoures the goodes and bookes to be furth cumming to the use afoirsaid And the saidis persones to be censured in maner above-writtin And that the said Letre be further extended in the best forme with all clauses neidfull Gewin At Quhythall the twentie aught day of December the zeir of God Im vjc and tuentie sevin zeires.

No. XXII.

Licence to Walter Findlaysone, Jan. 17, 1628. [*Reg. Sec. Sig.* ci. 120.]

Ane Lettre maid be our souerane Lord vnderstanding that his Majesties umquhill dearest father of worthie memorie Be his hienes Lettres of gift under the Privie Seall of the dait the day of Im zeires Gave and granted to umquhil Thomas Finlaysone lait printer to his Majestie The office and chairge of prenting of the actes of Parliament maid and to have bein maid be his hienes said umquhill darrest father or his predecessoris or be his hienes successoures of all commissiounes proclamatiounes actes of counsall utheris actes statutes and ordinances maid or to have bein maid be thame with full and sole power to the said umquhill Thomas Finlaysone to bruik joys intromet with uplift use and exerce the said office chairge and libertie of printing with all priviledges casualities profeites and immunities and utheris perteining and belanging thairto Siclyk and als frilie in all respectes as any of his Majesties printares within this realme hes done or may doe in ony tyme bygaine or to come as the saides Lettres of gift of the dait

abone-wrettin at mair lenth proportes And his Majestie being crediblie informet that the relict and bairnes of the said umquhill Thomas Finlaysone are abill sufficiently to use and exerce the said office and chairge quherof they have given laitlie proof in his Majesties service Thairfoire and for the guid trew and thankfull service done to his Majestie and his hienes said umquhill darrest father in the said office and chairge Our said Souerane Lord ordeines ane Lettir to be maid under his hienes privie seall in dew forme Makand nominatand and constituand Walter Finlaysone secund lawfull sone to the said umquhill Thomas Finlaysone his aires and assignayis for the space of thretteine zeires nixt and immediatlie following the dait of thir presentes his Majesties printares of all his hienes actes of Parliament actis of Secreit Counsall commissiounes proclamatiounes utheris actes statutes and ordinances maid be his hienes or his predicessoures or to be maid be his Majestie or his hienes successouris Gewand grantand and disponand to the said Walter Findlaysone and his foirsaides for the said space of thretteine zeiris eftir the dait heirof the foirsaid office with all fies liberties priuiledges casualities immunities profeittes and dewties whatsumeuir formerlie perteining and belanging thairto With full and sole power to the said Walter Findlaysone and his foirsaides during the space abone wrettin To bruik joys intromet with uplift use and exerce the foirsaid office and charge of printing of all his hienes actes of Parliament actes of Secreit Counsall commissiounes proclamatiounes utheris actes statutes and ordinances maid be his hienes or his predicessoures or to be maid be his Majestie or his hienes successoures with all fies liberties priuiledges casualities immunities proffeites commodities and utheris whatsumevir perteining or belanging or that may be knawin to pertein or belang to the said office Siclyk and as frilie in all respectes as the said umquhill Thomas Finlaysone or any utheris his Majesties prentares have done or may doo in ony tyme bygaine or to cume And farder our said souerane Lord hes ratified and approvin and be the tennor heirof ratifies and approwes the letteres of gift grantit be his Majesties said umquhill darrest father under his hienes priuie seall to the said umquhill Thomas Finlaysone his aires and assigneyis ane or mae for the space of twentie

fyve zeiris next ettir the date under wrettin of the saides Letteres of gift for imprenting of all and sindrie the buikes and volumes and utheris particularlie thairin mentionat and contening diverse and sundrie liberties priuiledges immunities and utheris grantet be his Majesties said umquhill darrest father In favoures of the said umquhill Thomas Finlaysone and his foirsaides particularlie and at lenth specified and set downe in the saides Lettres of gift At Edinburgh the sevinteine day of June the zeir of God Im vjc and sex zeires In the haill heides articles clauses conditiounes and circumstances whatsumevir thairin contenit eftir the forme and tennor thairof And his Majestie be thir presentes declaires and for his hienes and his successoures decernes and ordaines that this present general ratificatioune of the saides Letteris of gift is and sall be als sufficient in all respectis as gif the samene were at lenth insert heirintill notwithstanding the not inserting thairof Whairanent his Majestie be thir presentes dispenses for ever And farder his Majestie for the causes abon specified and for diverse utheris guide causes and consideratioun moving his hienes Hes of new given and grantet and be thir presentes of new gives and grantes to the said Walter Finlaysone his aires and assigneyis ane or mae for the said haill space of thretteine zeires nixt eftir the dait of thir presentis speciall licence libertie and priuiledge to imprent all and sindrie buikes volumis great and small and utheris particularlie and generallie mentionat and set down in the saides Letteres of Gift grantet be his hienes said umquhill father to the said umquhill Thomas Finlaysone and his abone writtin with all and sindrie liberties priuiledges fies casuallities profeites commodities immunities aud utheris therein exprest With power to the said Walter Finlaysone and his foirsaides during the space abone writtin To imprent all and sindrie the buikes volumes great and small and utheris particularlie and generallie exprest in the saides Lettres of gift and to bruik joys intromet with uplift use and exerce the said office of imprinting thairof with all fies priuiledges casualities proffeites commodities immunities and utheris thairin mentionat Siclyk and als frielie in all respectes as the said umquhill Thomas Finlaysone did or might haue done be vertue of the saides Letteres of gift and

that the said Lettir be farder extendit in the best forme with all clauses neidfull Ordeining thir presentes to be past the priuie seall within fourtie dayes utherwayes to be null. Gevin at Halryrudhous the Sewinteine day of Jannuar I^m vj^c tuentie aucht zeires.

No. XXIII.

Litera Roberti Young et Evani Tyller de Officio solius Typographi seu Typographorum, S.D.N. Regis, &c. 30th June, 1641. [*Registrum Mag. Sigilli,* Lib. iv. No. 270.] (Paper Register.)

Carolus Dei Gratia Magne Britannie Francie et Hibernie Rex fideique Defensor Omnibus probis hominibus suis ad quos presentes litere pervenerint Salutem, Sciatis quia Nos post decessum quondam Thome Finlawsone nostri novissimi typographi infra regnum nostrum Scotie volentes istum defectum supplere unde servitium nostrum plurimum negligebatur universitates academie et schole multum damnum passe fuerunt Et nos sufficientem informationem habentes qualificationis honestatis et habilitatis dilecti nostri Roberti Young Typographi civis Londinensis et affectionis ejus erga dictum nostrum servitium et ejus opulentie ad erigend. prela domos excusorias et tabernas sive officinas librarias infra diversa loca predicti regni nostri qualia nostro servitio et emolumento nostrorum bonorum subditorum in dicto nostro regno requisita et necessaria fuerint Et intelligentes quod nos cum avisamento et consensu predilecti nostri consanguinei et consiliarij Gulielmi Comitis de Mortoun Domini Dalkeithe et Abirdour &c. nostri thesaurarij principalis pro tempore Joannis Comitis de Traquair Domini de Lin-

toun et Caverstoun &c. nostri thesaurarij deputati pro tempore et reliquorum dominorum commissionariorum nostri scaccarij dicti regni nostri Scotie sub nostro Magno sigillo Donationem et Literas patentes unici et solius typographi nostri infra prædictum regnum nostrum durante spatio viginti unius annorum cum omnibus privilegiis et feodis eidem spectan. in favorem dicti Roberti Young ejusque participum et assignatorum expediri curavimus prout in dicta nostra donatione de data duodecimo die mensis Aprilis anno Domini millesimo sexcentesimo trigesimo secundo latius continetur. Et ubi dictum officium nunc vacat in manibus nostris ex resignatione dicti Roberti Young pro nova donatione et literis patentibus dicti officii unius et solius typographi nostri cum ordinariis privilegiis eidem sequi usitatis in quibuslibet nostris dominiis in favorem ipsius Roberti Ac etiam dilecti nostri Evani Tyler et assignatorum eorum uniuscujusque dan. et conceden. Et cum nos abunde informati sumus de sufficientia honestate et habilitate prefati Roberti Young et Evani Tyller pro servitio nostro Nos igitur cum avisamento et consensu commissionariorum nostri scaccarij pro thesaurario nostro designat. fecimus nominavimus et constituimus necnon tenore presentium cum avisamento predicto facimus nominamus et constituimus prefatos Robertum Young et Evanum Tyller aut assignatos eorum uniuscujusque Typographos existen. nostros, solos et unicos Typographum seu Typographos nostros fore pro dicto regno nostro Scotie duran. spatio triginta et unius annorum post datam presentium dand. concedend. et disponend. sicuti nos *pro* tenore presentium pro nobis et successoribus nostris damus concedimus et disponimus prefatis Roberto Young et Evano Tyller vel assignatis uniuscujusque eorum typographis existen. prefatum munus et officium unius et solius typographi vel unicorum typographorum pro nobis infra dictum regnum nostrum cum *omnibus privilegiis libertatibus* proficuis immunitatibus feodis casualitatibus et aliis emolumentis eidem spectan. vel que ad idem de futuro pertinere dignoscentur *vel que tempore preterito exercebantur utebantur vel fruebantur per quemvis alium nostrum typographum ante hac et in tam largo amplo munifico modo ut aliquis alius prior typographus prius eodem munere fungebatur vel fruebatur quovis tempore pre-*

terito Et hoc duran. omnibus diebus spatiis annis et terminis triginta unius annorum post diem date presentium plenarie completum et functum una cum antiquis et usitatis annuis feodis et allocationibus solvend. et exigend. annuatim durante dicto spatio e Scaccario dicti regni nostri per thesaurarios nostros vel per receptores nostros nostrorum reddituum pro tempore pro ejus eorumque laboribus et impensis post hac impendendis in nostris proclamationibus edictis atque publicationibus infra dictum regnum nostrum excudendis Cum potestate prefat. Roberto Young et Evano Tyller vel assignatis eorum quibuslibet predict. aut eorum vel unuiscujusque eorum assignatis et sufficientibus deputato vel deputatis (pro quibus respondere tenebuntur) predictis munere et officio unius et solius Typographi vel unicorum et solorum Typographorum dicti regni nostri fungendi et fruendi et solum privilegium excudendi in dicto regno nostro habendi cum libera potestate exportandi et vendendi in quibuslibet aliis nostris dominiis pro eorum meliore lucro et proficuo non solum psalmos in omnibus voluminibus pro ecclesia nostra Anglie concordantes gramaticas accidentias lie accidentis calendaria primarias lie prymers psalteria et libros juris communis pro usu Anglie cum bibliis in omnibus voluminibus quorum prefati Robertus Young et Evanus Tyller aut assignati uniuscujusque eorum virtute hujus nostre specialis donationis solum et unicum privilegium excudendi infra dictum regnum nostrum habebunt Verumetiam habebunt *commune beneficium excudendi psalmos nunc in usu pro ecclesia nostra Scotie cum testamentis aliisque libris pro usu dicti regni nostri ut alij typographi ibidem habent Prohiben.* per presentes omnes personas tam nativos quam alienos ab excudendo seu excudere causan. *quoslibet psalmos nunc in usu in ecclesia nostra Anglie* Concordantias grammaticas accidentias lie accidentis calendaria primaria lie prymers psalteria libros communis juris usitatos in dicto regno nostro Anglie vel *biblia in quolibet* volumine aut importan. seu importare causan. predict. libros aut aliquos earundem partes ex Francia Hollandia aut aliis partibus ultra marinis cum libera potestate confiscationis aut aliarum penarum prout dominis nostri secreti consilij infligere videbitur super aliquos qui attentabunt excu-

sionem et importationem dictorum librorum specialiter privilegiat. prefatis Roberto Young et Evano Tyller aut assignatis predict. uniuscujusque eorum a quibuslibet locis predict. Necnon recipien. predict. annua feoda et allocationes durante dicto spatio mandan. per presentes nostris thesaurariis aliisque receptoribus nostrorum reddituum et casualitatum pro tempore existen. quatenus prompte solvant vel persolvi faciant prefatis Roberto Young et Evano Tailler aut eorum uniuscujusque assignatis dict. annua et usitata feoda et allocationes duran. spatio predict. Requiren. etiam dominos et alios nostri scaccarij commissionarios predicti regni nostri quatenus eadem allocent annuatim prefatis commissionariis nostri thesaurarij et receptoribus in eorum computis de tempore in tempus visis acceptilatione seu acceptilationibus predictis Roberto Young aut Evano Tyller eorum predict. Proviso tamen quod presentes sint absque prejudicio aut impedimento alicui alij typographo infra dictum regnum nostrum Scotie excudere Biblia in folio vel alios libros impressos in dicto regno nostro quocunque tempore ante datam prime nostre donationis prescripte in favorem dicti Roberti Young concesse. In cujus rei testimonium presentibus magnum sigillum nostrum apponi precepimus apud Whythall trigesimo die mensis Junij anno Domini millesimo sexcentesimo quadragesimo primo, et anno regni nostri decimo septimo.

No. XXIV.

Decreet of Privy Council, Robert Brown and others against Andrew Anderson, apud Edinburgh, Dec. 21, 1671. [*Registrum Secreti Concilii.*]

Anent our Soveraigne Lords letteris raised at the instance of Robert Broune James Miller John Menson Gideon Shaw and

John Cairnes stationers and booksellers of Edinburgh and Robert Sanders stationer bookseller in Glasgow Makeand mention That where albeit be the lawes and customes of this and all other weell governed kingdomes the inhansing or monopolising of trade or manufactory be repute and holden a hie crime destructive of society and commerce and punishable with diverse paynes and penalties And that be the fourty act of his Majesties first parliament entituled Act anent erecting of manufactories The intysing resetting and entertaining of the servants or apprentices of the manufactories without consent of the master are discharged under the paynes contained in the acts of Parliament made against Coallheughers salters and their resetters And be the Elevent Act of the Eighteen Parliament King James 6: The persones guilty of that cryme are to be fyned in one Hundreth pounds Scotts for ilk tyme they refuise to delyver them after they are requyred Notwithstanding wherof it is of verity That albeit the saids compleaners and their predicessours booksellers stationers and printers of this Kingdome have past all memorie of man been in constant use and possession of binding importing buying selling printing and reprinting of bookes for the use and convenience of the Leidges and reput and holden a manufactory and had the benifit of the liberties and priviledges indulged to manufactories be the several Acts of Parliament without any trouble or molestation till of late that Andro Anderson printer in Edinburgh upon misrepresentation purchased a signatour under his Majesties hand containing diverse powers heretofore unheard of much lesse practised to the utter subversion and destruction of that manufactory and ruine of a number of families to the publick prejudice of the whole leidges and ingrossing and monopolising of the same to himself and some few others he hes thought fit to joyne with him in so far as by the said signatour he is impowered to print all bookes and papers in any language learned or vulgar all bibles new testaments psalmes bookes of divinity bookes of the common or civill law all sorts of school bookes grameris callanderis &c. and all other persones expreslie prohibit to print or reprint import or cause to be imported any of these bookes without the said Andro his

licence under the payne of confiscation With sole power to him to regulat the press and order the printing of all bookes and papers so that no other person printer or bookseller shall print or publish any bookes in any language bot such as he shall order And prohibiting all persones who have not served ane apprenticship in the airt of printing to sett up ane printing house or to imploy Journey-men printers And prohibiting all Journeymen to instruct any in the said airt without warrand from the said Andro And containing severall unusuall clauses and powers besydes the ordinar and accustomed priviledges competent to his Majesties printers of printing Acts and Proclamations of state and other papers of that natur concerning his Majesties service upon presenting of which signatour to his Majesties Exchequer George Swinton James Glen Thomas Browne and David Trench booksellers in Edinburgh compeiring and having offered severall reasones against the passing of the said Signatour The same was stopped untill that the said Andro Anderson upon making them partners in his gift prevailed with them to passe therefrae without acquainting the rest of the compleaners who were equally concerned So that the same was passed without their knowledge which had never been done if they had been heard to give in their reasones thereagainst Lykeas in prosecution of these new powers contained in the said gift without any declaratour or other legall diligence done thereupon The said Andro Anderson accompanied with the said George Swintoun James Glen Thomas Browne and David Trench his partners went to the burgh of Glasgow and in a disorderlie manner came to the house of Robert Sanders printer there and minaced and discharged his Journeymen and prentices to exerce the trade of printing any more And partly by threats and partly by fair promises did cause the Journeymen and prentices desert his work and service in the midst of ane impression to his heavie losse and prejudice who are resett intertained and keeped in the service of the said Andro Anderson and his partners forsaid ever sensyne Which act of oppression being represented to the Lords of his Majesties Privy Councill upon the fourt of October last they be their Act did ordaine the said Andro Anderson and his partners forsaid to be cited to answer to the

premisses And in the mean tyme did allow the compleaneris to continow in possession of all their former priviledges of printing importing and selling of bookis which they had and were in use of before the granting of the forsaid gift And discharged the said Andro Anderson to trouble the compleaneris in the possession of their priviledges And ordained him to restore to the said Robert Sanders any prentices or Journeymen whom he had withdrawn from his service untill the said matter be heard and determined by the Councill Notwithstanding trew it is and of verity That the said Andro Anderson and his partners not only in manifest contempt of the forsaid Act of Councill have refuised to deliver to the said Robert Sanders his Journeymen and prentices as instruments taken upon their requisition and refuisal produced beares Bot threattens and minaces to put the said gift to the utmost execution to the casting wast of the compleaneris presses trade and employment And inhansing and monopolising the same to themselves contrair to all law and equity and his Majesties known inclination and intent And therfor in all equity and reason The said Andro Anderson and his partniers forsaid ought and should not only be decerned to have incurred the said penalty of one Hundreth pounds Scotts and ordained to make payment thereof to the said Robert Sanders for refuising to delyver him his Journeymen and prentices after they were requyred sua to doe conforme to the said Act of Parliament and Act of Councill besydes the delyverie to him of his saids servants And discharged to extend or put the said gift in any farder execution then his predecessors his Majesties printers have been in use to doe viz. to the printing of all Acts and Proclamations of state and other papers of that nature concerning his Majesties service And to hear and sie it found and declared That notwithstanding therof the said compleaners ought and should continow in their possession of their present and former priviledges of binding importing exporting buying selling printing and reprinting of books for the use and convenience of his Majesties leidges without any stop or impediment Bot otherwayis for the said oppression examplary punished in their person and goods to the terror of others to committ and doe the lyke in tyme comeing And anent the charge

given to the said Andro Anderson and remanent persones forsaids his partners to have compeired personally and answered to the premises and to have heard and seen themselves decerned to have incurred the said penalty of one hundreth pound Scotts and ordained to make payment therof to the said Robert Sanders for refuising to delyver to him his Journeymen and prentices after they were requyred sua to doe conforme to the said Act of Parliament and Act of Councill Besydes the deliverie to him of his said servants and to have heard and seen themselves discharged to extend or put the said gift to any furder execution then his Majesties printers have formerly been in use to doe viz. The printing of all Acts and Proclamations of state and other Acts of that nature concerning his Majesties service And to have heard and sein it found and declared that notwithstanding thereof the saids compleaneris ought and should continow in the possession of their present and former priviledges of binding importing exporting buying selling printing and reprinting of books for the use and conveniency of his Majesties liedges without any stop or impediment or els to have showne a reasonable cause in the contrair With certification &c. As the saids Letters executiones and indorsationes therof at lenth proports Whilk being called and both parties with their procuratouris compeirand personally The Lords of His Majesties Privy Councill having heard and considered the forsaid Lybell and answers made thereto with his Majesties gift forsaid and what farder was alleadged be other party Together with a report of some of their owne number to whom the consideration of the said matter was remitted Decernes and Declares the gift above wrytten granted to the said Andro Andersone to be his Majesties prenter is and shall be restricted to the particulars following as to the haill poynts thereof contraverted be the saids persewers viz. That he as Kings printer hath the sole priviledge of printing all acts of Parliament proclamationes and other acts and orders emitted or that shall be emitted by authority As also that the Kings printer shall have the sole and only priviledge of printing bibles in all the partes therof of all sorts and of all languages (except the New testament and psalme book in the letter commonly called

the English Roman conforme to a Copy produced printed by George Swintoune and James Glen in the year 1669 or at or about the syse of that letter Which New testament and psalme book of the letter forsaid The saids Lords declares that Robert Sanders or any ôther printer in the Kingdome shall have als full liberty to print as the King's printer In reguard the said Andro Andersone his Majesties printer hath consented thereto) and sicklyke that his Majesties said printer hath the only priviledge of printing the bookes called the Confession of faith Larger and Shorter Catechismes and all bookes of Divinity and School books enjoyned or that shall be enjoyned to be read in churches or taught in Schools by publick authority And declares that the Kings printer hath the supervising of the press as to the sufficiency of materialls and workmanship And farder declares that until the Kings printer shall have ane impression of the bible ready It shall be leasom to any person to import any bibles priviledged by the Kings authority and so soon as the Kings printers shall have ane impression ready and seen by the Councill The Saids Lords declares that then all other persones are to be discharged to import any of that letter or syse And so furth of any impression therafter And declares that the Kings printer shall not under that pretense Import or cause any bibles be imported by himselfe or be any other upon his accompt Bot that he shall be holden to serve the countrey with these of his own printing at such reasonable rates as shall be appoynted by the Lords of his Majesties Privy Councill And whereas the saids Lords are informed that the said Robert Sanders hath a New testament of a black letter presentlie in the presse near compleat befor passing of the forsaid gift They declair That it shall be lawfull to the said Robert Sanders to compleat and sell the said Impressione And lastly the saids Lords declaires That the foresaid restrictiones and qualificationes shall on no wayes prejudge the Kings printer or any other person who have any particular coppy priviledged by act of Councill to be prented by them Becaus the said Lybell ansuers thereto and his Majesties gift forsaid with what was farder alleadged in behalfe of the said perseweris and the defender as his Majesties printer being at

lenth debeat and considered be the saids Lords and They fully and ryplie advised therewith They fand just reasone to decerne and declair in manner forsaid.

No. XXV.

Act in favors of the Relict of Andro Anderson and his Air, Edinburgh, October 12, 1676. [*Acta Sec. Conc.*]

Forasmuch as the Kinges Majesty, by his Gift dated the tuelt of May 1671, did grant and dispone to Andro Anderson his Majesty's printer now deceast his aires assigneyes or substituts to be his Majesties sole absolute and only mastir printer for The space of 41 yeares after his entry to that office with power not only to print his Majesties Acts of Parliament Proclamations and other papers relating to the publik affaires of this kingdome Bot also to print and reprint bibles in all volumes with the psalmes thereuntill thrie partes of the bible and new Testaments in all volumes all bookes of divinity commentaries concordances books of the cannon or civill lawes all sortes of school bookes school authores grammares rudiments psalms confessions of faith catechismes larger and shorter catechismes prymers &c. discharging all others so to doe without warrand and order from his Majesties printer under the payne of confiscation of all such bookes the one half to the king and the other half for the use of his printer and his forsaids besydes such other penalties as the Councill shall think fitt to inflict in case of faylie And whereas the relict and air of the said deceast Andro Anderson have exhibited and presented before the Lords of His Majesties Privy Councill bibles of three severall volumes printed by the said Andro Anderson one thereof in a letter called the pereill letter with notes in the volume of Twelve printed in the year 1673 Another printed in the said year in the

same letter without notes in the volume of eighteen And the third printed in the year 1676, in a letter called the non-pareill with notes in the volum of Eight Of which bibles they have printed such a considerable number as may be able sufficiently to serve his Majesties leidges with bibles of that kynd which is performed by his Majesties said printer to their great expenses, and the advantage of the kingdom by hindering the export of great soumes of money which are daylie taken furth thereof for forraigne bibles and have undertaken to serve the leidges sufficiently at alse easy rates in farr better work then any forraigners can affoord The saides Lords of Councill doe therefore conform to his Majesties gift aforsaid hereby prohibit and discharge any person whatsoever after the first day of November nixte To import vent or sell into this kingdome any bibles of the forsaides letteris or syse declareing hereby all such bibles as shall be imported after the said day confiscable the one half thereof for his Majesties use and the other half for the use of the relict and air of his Majesties said printer With full power to them or any haveing their order to seize upon take and confiscat the saides bibles wherever the same can be found they being alwayes comptable for his Majesties part of the said seizour to the Lordis of the Thesaury Ordaining and commanding hereby the Tacksmen and collectours of the customes & excyse and their waiters to confiscat any of the saids bibles that shall happen to be imported after the said day to the use forsaid which is to be by and attour any other punishment his Majesties Councill shall think fit to impose upon the contraveeners and ordaines these presents to be printed & published at the mercat croces of Edinburgh Glasgow and other places neidfull that none pretend ignorance.

No. XXVI.

Decreet of Privy Council in the Cause, Andrew Anderson, Printer, against Robert Sanders, Bookseller in Glasgow, and others, March 6, 1680. [*Reg. Sec. Conc.*]

Anent our Soveraigne Lords Letters raised at the instance of James Andersone air served and retoured to the deceast Andrew Anderson his Majesties Printer and Sir George M'Kenzie of Rosehaugh knight his Majesties Advocat for his Highness interest in the matter underwritten Mentioning that where albeit his Majesty by his Letter of Gift dated the twelfth day of May I^{m} vj^{c} seventy one yeares Did appoint and constitut the said deceast Andrew Anderson his aires and assigneyes to be his Majesties sole absolut and only Printer with power to print and reprint all books whither divinitie law and others mentioned in the said Gift whereby all other persons are discharged to doe the same without the said deceast Andrew his airs and assigneyes their warrands under the pain of confiscation of all such bookes as should be printed by any others the one halfe to his Majesty and the other halfe to the said deceast Andrew and his foresaids and of such other paines as the Lords of his Majesties Privy Councill should think fitt to inflict Likeas by the said Letter of gift the said deceast Andrew and his foresaids are ordained to have the superviseing of the presse and printing houses of the Kingdome and to be answearable therefor And sicklike upon ane application made by Robert Sanders bookseller in Glasgow and some other persons to the said Lords of Privy Councill complaining of the said gift The saids Lords after hearing of both parties and of full consideration of the said Gift and of what was alledged for and against the same Did by ane act of the date the sixteenth day of Sep-

tember Im vjc seventie two years find decerne and ordaine that the said Robert Sanders or any other printer within this Kingdom should only have the priviledge to print the new Testament and Psalm-book in the letter commonly called the English Roman but in no other letter nor syze then that conforme to a copy printed in the year Im vjc seventie nine by George Swintoune & James Glen which was then produced and Virgill with or without notes, Salustius, and the other books particularly mentioned in the said Act and which priviledges was only granted upon the said deceast Andrew his voluntar consenting to the same for peace sake and his gift was ordained to stand in full force as to all the priviledges mentioned in the same and the said Act of Councill And albeit by the said Gift and Act of Councill the said deceast Andrew Anderson and the persuer the said James Anderson air served and retoured to him have the only priviledge of printing all other bookis save such as are mentioned in the said concession in the said Act and the only priviledge of superviseing the presse and printing houses within this Kingdom Yet nevertheless the said Robert Sanders who was compeiring at the makeing of the said Act haveing contravened the same and his Majesties said Gift in printing venting and dispersing or causing print vent and disperse severall bookis as to the printing of all which he and all others are by the said Gift and Act expressly excluded except the persuers deceast father his aires assigneyes & copartners And the persuers having thereupon intended process before the Councill against Robert Sanders in the year Im vjc seventie six and the same being remitted to a Committee of the Councill to report the state of that proces who haveing reported that they found the Libell founded on his Majesties Gift and Act of Councill foresaid in the year Im vjc seventie two explaining the same Whereby after hearing of both parties then at great length it is determined what is proper to the Kings printer to print and what is proper to the rest of the printers to print and which all his Majesties printer doeth conced to severall particulars for peace sake The saids Lords of Privy Councill upon full consideration of the foresaid haill matter Did by their Act in February Im vjc seventie seven adhere to their said former act

And in regard the said Robert Sanders did refuse to depon upon the said Libell being referred to his oath did by their Decreet dated the sixth day of March the said year Im vjc seventie seven hold him as confest upon the Libell and committed him prisoner to the tolbooth of Edinburgh untill furder order and decerned and ordained him to obtemper the saids Lords of Privy Councill their said Act of the sixteenth of September Im vjc seventie two in all points notwithstanding whereof and that the said Lords were favourably pleased to sett the said Robert Sanders at liberty he hath been so fare from regarding his Majesties said gift and the saids Lords their act and Decreet that he hath most contemptuously by himself his servants or others in his name by his command or at his direction ever since the saids Lords of Councill their said Decreit of the sixth of March Im vjc seventie seven years and particularly upon the first second third and remanent dayes of Aprile May June and remanent moneths of the year Im vjc seventie seven upon the first second third and remanent dayes of January February March and remanent moneths of the yeares Im vjc seventie eight and Im vjc seventie nine last bypast and upon the first second third and remanent dayes of January and February Im vjc and Eighty years or one or other of the dayes of the said moneths taken upon him to print sell and disperse or caused print sell and disperse to his behoofe the particular books after specified viz. Catechismes, Durhame on the Revelation, Dyers works, Vincent on Judgement, Vincents Catechisme Brouns path and way to heaven, Durhame on the commands Flavell sainct indeed, Grammars, Rudiments, & vocables, New Testaments and Psalme books in another letter and different character then that condescended to by his Majesties said printer Confessions of faith, Rhetorica, Mr Brierlie Mr Grayes twenty seveñe sermones The whole duty of man Doelittle on the sacrament with severall books of divinitie and schoole books As to the priviledge of printing all which the said Robert Sanders and all others are by the foresaid Gift and Act of Councill expresly excluded except his Majesties printer and his foresaids And which by the saids Lords their Decreet the said Robert Sanders is expresly ordained to obtemper and obey

Whereby the said Robert Sanders hath directly contraveened the tenor of his Majesties said gift and act and decreet of Privy Councill foresaid in high and proud contempt of the same and therefor ought and should not only be decerned in such soumes as the saids Lords shall think fitt for the foresaid contravention whereupon he is holden as confest by their said Decreet in March Im vjc seventie seven and to make payment of the pryces and value of the foresaids bookes so unwarrantably printed sold vented and dispersed ever since extending to - - - - - - - the one halfe to the persuer as aire served and retoured to his said father as also to make payment of the damnage losse and prejudice sustained by the persuer through his being hindered to vent and sell the saids bookis which he caused print to that effect by the said Robert Sanders his unwarrantable printing venting selling and dispersing of the same as aforesaid But otherwise examplarly punished in his person and goods to the terrour of others to doe the like in time coming And anent the charge given to the said Robert Sanders to have compeared personally and answered to the foresaid complaint and to have heard and seen such order taken thereanent as appertained under the paine of rebellion &c. With certification &c. As the saids letters executiones and indorsations thereof at length proports Whilk being called upon the twenty-sixth day of February last and the said persuer compeirand personally As also Agnes Campbell relict and executrix to the said deceast Andrew Anderson his Majesties printer for her interest and as administratrix to the said persuer her sone And the defender being also personally present And the said Libell being remitted to a Committee of the Councills number to consider thereof and to hear the parties and report And the said Committee haveing heard the saids parties and this day made their report The Lords of his Majesties Privy Councill haveing heard and considered the foresaid Libell and answears made thereto and report of the Committee above written with his Majesties Gift in favors of the deceast Andrew Anderson and acts of Councill foresaid explaining the same And also haveing heard the Lord Register who represented that the printeing or reprinteing of the Acts of Parliament and Acts of

Convention of Estates did properly belong to him not only as a privilidge inherent his office of Clerk Register But also by vertue of a speciall gift from his Majesty to that effect which could not be prejudged by Andersones Gift and craved that his Gift might be solved and declared to be in no sort prejudged by any act or sentence in favours of the said James Anderson in this matter They doe find that his Majesties Printer hath the sole priviledge of superviseing the presse and of printing proclamations of state, Bibles and all the parts thereof and all other books therein specified except these contained in the concession granted by the said deceast Andrew Anderson his Majesties printer and act of Councill dated the said sixteenth day of September Im vjc seventie two years viz. the New Testament and Psalm Book in the letter commonly called the English Roman printed by George Swinton and James Glen in the year Im vjc sixtie nine years but no other size nor letter Virgill with or without nots, Salustius, Horatius, Quintus Curtius, Dialogi Sacrorum Orationes Ciceronis, Erasmi Colloquia majora, Ciceronis Epistolæ, Erasmi Colloquia minora, Joannes Lodovicus vives Bellum Grammaticale, Janua Linguarum *Smetii Prosodia*, Buchanani Prosodia Juvenalis and Persius Lucanus, Terentius, Cæsaris Commentaria, Lucius Florus, Carmina Proverbialia blandianus, Cornelius Tacitus, Textoris Epistolæ, Tolei Rhetorica, Vossii Rhetorica, Rami Dialectica Ursini Catechismus, Æsopi fabulæ, Thomasii Dictionarium, Sylva Synonimorum, Justini Historia, Burgesdicii Logica, Livii Orationes, Greek New Testaments, Senecæ Tragediæ, Poetæ Minores, Homers Iliads, Kemps de Imitatione Christi, and Plautus Comedies And which concession was granted by the Kings printer for peace sake And which books by that Act it is declared that the said Robert Sanders or any other person printer in this Kingdom shall have as full liberty to print as the Kings Printer himself And which Act the said Robert Sanders was by Decreet of Councill dated the sixth day of March Im vjc seventie-seven years expressly decerned and ordained to obtemper in all points And finds by the said Robert Sanders his oune confession that he hes not only vended Bibles printed in and imported from Holland contrare to a standing proclamation

published and printed but reprinted and vended several books of divinitie without licence contrare to his Majesties Gift and Act of Councill forsaid The saids Lords of his Majesties Privy Councill doe therefor Prohibit and Discharge the said Robert Sanders and all other printers within this kingdom to reprint or print any books which the Kings Printer by his Gift hes right only to print except these contained in the foresaid concession under the paine of confiscation thereof to the use and benefite of the Kings Printer And doe ordain letters of horning to be direct chargeing them to find caution acted in the bookis of Privy Councill to the effect foresaid under the penalty of five hundred merks Scotts money and in regard of the damnage sustained by the pursuer and his mother through the foresaid contravention and frequent processes for defending the Kings Gift The saids Lords doe ordaine the said Robert Sanders or any other printer who have printed any books contrare to the Kings gift and the said decreet of Councill in the year Im vjc seventie two to deliver up to the persuer or his mother executrix and administratrix foresaid the haill copies thereof printed by them since the date of the said Gift and Decreet of Councill in recompence of some part of their damnage And ordaines letters of horning to be direct for that effect It is alwayes hereby declared that these presents shall be but prejudice of any right or priviledge the Lord Register hes to imploy any person he shall think fitt for printing or reprinting the Acts of Parliament and Acts of Convention of Estates conforme to his Majesties Gift in his favours which the saids Lords declares to be no ways hurt or prejudged by this Act or any thing therein contained

No. XXVII.

Ratification in favours of Andrew Andersone Printer to the College & City of Edinburgh and his Co-Partners of the gift of sole & chieff Printer to his Majestie. [*Acta Parl. Scot.* 1671.]

Our Soveraigne Lord and Estates of Parliament taking to consideratione the lettirs of gift aftir specified and weightie causes wherby his Majestie was moved to grant the same, And likewise forseeing the great good and profeit that by the due observance and prosecutione therof will redound to his Majestie and his subjects Have therefor Ratified Approven & Confirmed And by thir presents Ratifie Confirme & Approve the lettir of gift granted by his Majestie with consent of the Lords of his highnes Exchequer to Andrew Andersone printer to the Colledge & City of Edinburgh vnder his highnes great Seall of this his antient Kingdome of the dait at Whitehall the tuelve day of May One thousand six hundred sevintie one Wherby his Majestie Made Nominat and Constitut the said Andrew Andersone his highnes onlie sole principall printer, To Print and cause Print be himself his assigneys and Substituts to his or their journeymen Printers or servants all and sundry bookes or papers of anie language learned or vulgar With sole power to him and his Co-pairtners & assistants (whome he shall choose) assigneys & Substituts To governe direct & order the printing of all such bookes and papers Soe that it shall not be lawfull to any other persone printer or bookseller to print or publish or to cause print or publish any bookes or papers in any language learned or vulgar bot in the way & maner forsaid & allenarlie by these who shall be ordained by the said Andrew Andersone and his partners & assigneys to print & publish and that for the space of fourtie one years aftir the time therin specified of the said Andrew his entrie to the said office And Like-

wise his Majestie with consent forsaid Gave granted & disponed to the said Andrew & his aires co-pairtners assigneys and Substituts the sole absolute and vndoubted right of the said office & gift as onlie Masters Directors & Regulators of his Majesties office of Printing within the said Kingdome with the sole and onlie power dureing the said space not onlie of Printing his Majesties and his highnes Illustrious progenitors their acts of Parliament Proclamations Edicts & all other papers and concernes belonging to the said Kingdome Bot also of Printing and reprinting (Notwithstanding of any act or acts of his Majesties Councill in favors of any others) of Bibles in all volumes, with the Psalms annexed therto, als wiel for the Churches of Ingland and Ireland as of Scotland, thrid parts of the Bible, and Newtestaments of whatsoevir volume, all bookes of Theologie, Commentaries, Concordances, Books of the Comon & Civill law, School authors Grammers Rudiments Psalms Confessions of faith Larger and Shorter Catechisms Kallendars &c. And to export and Sell the samine in anie pairt of his Majesties Dominions for the use of his Subjects Prohibiteing therby alswiel Natives as forraigners to Print or re-print or cause print or reprint import or cause to be imported from any place without the said Kingdome or from beyond seas any Bibles, thrid parts of the Bible or Newtestaments of whatsoevir volume or any of the foirnamed bookes, papers or pamphlets without the speciall license of the said Andrew and his forsaids vnder the pane of confiscation of the saids bookes soe printed or imported Wherof the one halfe to belonge to his Majestie and the other halfe to be applyed to the use of the said Andrew and his forsaids and vnder other paines and mulcts which the Lords of his Majesties privie Councill from time to time shall be pleased to inflict upon the contraveeners And with power to the said Andrew and his forsaids to erect or cause to be erected within the city of Edinburgh or any other City or Burgh within the said Kingdome of Scotland, Presses Printing houses & Materialls And for that effect to take and sett to worke all workmen Journeymen Printers & Correctors of the Presses neidfull for his Majesties service and benifite of the said Kingdome, Inhibiting that no persone who hes not served his Apprentiship in the Art

and vocation of Printing (and that is not soe made capable to be a Master Printer) shall erect or keip up any Printing houses, or print any bookes or papers whatsoever nor for that effect to imploy any Journeymen Printers: Moreover inhibiting all Journeymen Printers to take breed instruct or keip in service any Apprentice in the Arte of Printing, without licence of the said Andrew & his forsaids Attour his Majestie Gave and Granted to the said Andrew & his forsaids all other priviledges profeits immunities casualities fies emoluments and others whatsoever pertaining to the said office and contained in whatsoever gifts granted by his Majesties father or any other his Royall Progenitors to any other their Printers, at anie time bygone As by thir presentis they are freed from publict taxationes, Stents, Watchings Bullione money for whatsoever paper or necessaries requisite for the said office of Printing, and from all annuities whatsoever dureing the said space to be bruiked vsed exerced & enjoyed by the said Andrew and his forsaids as fully & frielie in all respects and to all intents and purposes as any other Printer by vertew of their office have enjoyed or for the futur shall be knowne properlie to belonge to the same And lastlie Ordaining the Lords Commissioners of his Majesties thesaurarie & their Receavers present & to come to pay the fies due to the said office yearlie dureing the said space and which is Declaired to be allowed to them in their Accompts In the whole heads articles & clauses therof And admitts the forsaid Ratification to be als sufficient as if the said gift wer verbatim heirin insert albeit not soe done Wheranent Dispenses for ever Attour his Majestie and Estates of Parliament of New Makes and Constituts the said Andrew his Majesties onlie sole and cheiff Printer With power to him and his forsaids to exerce the said office and to bruike possess & enjoy the same, With the priviledge of secluding & debarring all others power of Confiscatione & whole other priviledges casualities freedomes and immunities above specified during the space above exprest Recommending heirby to his Majesties Privy Councill to see the said gift put to due executione, & made effectuall to the said Andrew Andersone & his forsaids according to the tennor therof in all pointes and upon complaints to redress all wrongs done to or encroachments

thereupon in anie time comeing dureing the said space It is allwayes heirby Declaired that this present Ratification shall no wayes be prejudiciall to any acts of Councill maid anent the ordering of the said gift.

No. XXVIII.

Litera Davidis Lindsay de officio Typographi Regii, 23° *Nov.* 1682. [*Reg. Mag. Sig.*] (Paper Register) V. x. No. 343.

Carolus Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideique defensor Omnibus probis hominibus ad quos præsentes Literæ pervenerint Salutem Noveritis nos considerantes artem Typographicam Eruditionum Scientiæ et Artium profectuj summopere conducere et inservire Librosque accurate impressos maximum esse commercii domestici et externi subjectum, Et officinarum typographicarum in dicto antiquo regno nostro Scotiæ stabilitionem, incitamentum et confirmationem, multum pecuniæ pro libris externæ Typographiæ erogatæ, in eodem regno posse servare, Nosque ex regia nostra cura erga commodum decus et emolumentum ejusdem regni nostri, omne commercium et singulas manufacturas in eadem incitare et confirmare apud nos benigne statuentes atque etiam compertum habentes per plurimos retro annos paucos admodum libros bonos ibidem esse impressos Idque præcipue ortum esse ex oppositione et debilitatione per illos quibus officium nostri Typographi Ordinarij fuerat commissum eædem arti illata quasi ipsi solo imprimendi privilegio fuissent potiti ; Cumque justitiæ et prudentiæ nostris dictique regni politiæ minime conveniat, ut totum imprimendi officium unus quidem monopola possideat, cumque etiam propositum et intentio commissionis et privilegii

per nos Typographis nostris ordinariis concessi, alia præla, non ad libros communes sed proclamationes acta concilii et id genus alia ad typographos nostros ordinarios jure pertinentia imprimendum excludat; cumque nobis manifeste constat hæredes demortui Andreæ Andersone quondam nostri Typographi nullo modo sufficere ad omnes libros dicto Regno necessarios imprimendos, Ac etiam per nuperam editionem Actorum Parliamentorum nostrorum et serenissimorum nostrorum progenitorum plane sentientes Davidem Lindsay (qui eadem imprimenda curavit) bonos et perspicuos typos et præla integra habere quibus eadem sunt correcte impressa: Noveritis Igitur Nos (ratione qua supra utque animus addatur prefato Davidi Lindsay quo in dicta arte typographica persistat et plures bonos typos præla et alios sumptus Typographiæ necessarios preparet) cum avisamento et consensu fidissimi et dilectissimi consanguinei et consiliarij Gulielmi Marchionis de Queensberry summi nostri Thesaurarij ejusdem regni Joannis Drummond de Lundin Thesaurarij nostri deputati et reliquorum dominorum aliorumque dominorum nostri Scaccarij ejusdem Regni Commissionariorum Dedisse Concessisse et Commisisse sicuti nos per præsentes pro nobis et Successoribus nostris Damus Concedimus et Committimus prefato Davidi Lindsay suisque heredibus substitutis et collegis plenariam potestatem et libertatem imprimendi seu per suos vel eorum servos et substitutos omnia librorum genera cujuscunque linguæ artis seu scientiæ imprimenda curandi (exceptis omnimodo nostris proclamationibus actis parliamenti conventuum et concilij et id genus aliis per illum vel illos sine speciali privilegio minime imprimendis) eosdemque libros in quacunque parte dicti antiqui regni nostri vel extra idem publicandi et vendendi Idque durante Spatio quadraginta annorum post expeditionem presentis nostræ Commissionis sub magno nostro Sigillo antedict. Proviso omnimodo quod dicti libri nihil contineant quod Religioni nostræ stabilitæ, Regimini authoritati vel honori nostris deroget aut præjudicet Quodque iidem per illos permittantur qui ad prælum inspiciendum per nos vel nostri Secreti concilij dominos constituentur Ac ulterius Damus et Concedimus prefato Davidi Lindsay ejusque antedict. plenam potestatem officinas typographicas in quibuscunque dicti regni

locis quibus ipsis visum erit pro meliori subditorum nostrorum accommodatione erigendi, et omnibus privilegiis juribus et immunitatibus quæ per quosvis Typographos possidebantur vel officio Typographico seu cuivis alii manufactorio intra dictum regnum spectare et pertinere dignoscuntur Idque non obstante quavis donatione officii nostri Typographi ordinarij per nos dicto demortuo Andreæ Andersone concessa seu quibusvis actis nostri secreti Concilij in contrarium fact. Per præsentes porro declaratur quod hæc nostra litera donationis aut quid in eo content. nullo modo prejudicabit donationi officij nostri Typographi per nos præfat. demortuo Andreæ Andersone concessæ in quantum extendi potest ad privilegia content. in Litera donationis ejusdem officij demortuo Evano Tailzeor concessu Ac ulterius declaratur quod hæc clausula exceptionem prædictam quod proclamationes et acta parliamenti nullam et vacuam minime reddat. In cujus rei testimonium præsentibus Magnum Sigillum nostrum appendi mandavimus. Apud Aulam nostram de Whytehall vigesimo tertio die mensis Novembris anno domini millesimo sexcentesimo octogesimo secundo Regnique nostri anno Trigesimo quarto.

Per Signaturam manu S. D. N. Regis suprascript. necnon manibus Thesaurarij principalis Thesaurarij deputati et reliquorum dominorum Scaccarij subscript.

No. XXIX.

Act in favours of Mrs Anderson, Edinburgh, March 14, 1701. *This booked under the 20th March per licet.* [*Acta Sec. Conc.*]

Anent the Petition given in to the Lords of His Majesties Privy Councill by Agnes Campbell his Majesties printer Shew-

ing That where the deceast Andrew Anderson her husband having obtained a Gift under the Great Seall for payment of a Composition in Exchequer and other weighty reasons giving him his heirs and successors the sole Right of printing within this Kingdom, and which was ratifyed in Parliament and often confirmed by decreets and acts of Councill upon Compearance and debate and all persones were discharged during the tyme limited in the said Gift, to Print or to Import into this Kingdom any books in whatever airt faculty or language, which he his heirs or successors, should at any tyme print, without his or their licence except in sua far as the said Gift was restricted out of meer favour by his consent, as is more fully contained in the Gift and Decreets of Councill following thereon Their petitioner upon the faith and encouradgement of the forsaid Gift and severall acts and Decreets of Councill above mentioned hath so far advanced the art of printing, That although in our neighbour nation, the printers upon the very designing of any extraordinary and expensive work use not only to join together in the expenss, but also get considerable encouradgements and gratuities from the publick: yet their petitioner for the Credit of this Kingdom did by her self undertake, and hes now near finished the printing of Mr Mathew Pools annotations on the Holy Bible with Clarks Harmony on the Evangelists not contained in the English book which hes occasioned a great Expenss, and which she has carryed throw, notwithstanding of many discouragements, and in some manner threats of the English and she may boldly say, That her work is better done and upon fyner paper, then that done in the English nation She hes also begun Editions of Durham and Flavells works, which the English are likeways carrying on at the same tyme, upon the faith and hopes of getting Subscriptions in Scotland to their proposals, thinking thereby to ruine their petitioners design and consequently her press; She is also printing a Treatise by Mr Daniell Campbell on the Sacrament called The frequent and devout Communicant, and some of Mr Craigheads sermons: And the encouragement she craves from their Lordships is what she humbly conceived is her right from the Gift itself viz. That no Printer or other person whatsomever be al-

lowed to print reprint or to import into this Kingdom any of the forsaids books already printed or to be printed by her under the pain of Confiscation, and such other punishment as their Lordships think fitt. Their Petitioner took only leave to represent to their Lordships That she hes so far improven the art of printing in this Kingdom, That her printing house is equall and perhaps exceeds any printing house in England, and the Encouradgement of her work tends very much towards the mantenance of a great many families. The General Assembly had so far considered the usefulness of this undertaking, That they have recommended to all Noblemen Gentlemen ministers and others within this Kingdom, to give her their concurrence & assistance, which is all she could demand of them. And therfore humbly Craving their Lordships to consider the premisses and discharge the printing or reprinting or the importation of any works printed or undertaken by their petitioner and particularly of the works above mentioned under the Certifications and penalties contained in her Gift viz. The Confiscation of the books so printed or imported, the one half to his Majesty and the other half to her, And to grant her warrand to seaze any books Imported Printed or Reprinted contrary to the said Prohibition, as also to discharge all Tacksmen of the Customs, Collectors Waiters Surveyers to suffer or Connive at the Importation of the saids books, and to appoint such other Certifications as their Lordships should find necessary to whom the said matter is recommended by the Gift and Act of Parliament ratifying the same, as the said Petition bears The Lords of His Majesties Privy Councill having heard the above Petition given in to them by Agnes Campbell, Relict of Andrew Anderson his Majesties printer read in their presence, They upon the Sixth day of March last, nominated and appointed, The Earles of Lauderdale & Leven, The Lords President of Session & Thesaurer deput, Mr Francis Montgomry and the Provost of Edinburgh to be a Committy to Consider the said petition with the gift in favours of His Majestys printer how far the samen doth or may Extend and Recommended them to meet the morrow morning at ten acloak in the forenoon, and declared any three of them to be a sufficient quorum, and Re-

commended to them to make their Report with the first conveniency Which being again this day considered by the saids Lords of His Majestys Privy Councill, they heirby Recommend to the Lords of the Committy appointed upon the above petition given in by the Relict of Andrew Anderson His Majestys printer, to authorize and impower the said Mrs Anderson to print Pools Annotations, Mr Durhams work, Mr Daniell Campbells books anent the Sacrament of the Lords Supper and Craigheads Sermons, and Impowers the said Committy not only to give the said Mrs Anderson liberty to print the saids books, but likewise to grant her the sole priviledge for printing of the same, and to discharge all persons whatsomever to print these books for such number of years as they think fit, the said Committy being always first satisfyed as to the fyness and sufficiency of the paper & types to be made use of and imployed by her in printing of the saids works or books, and to declare that if any of these works or books shall be printed by any other person within this kingdom during the space forsaid the same shall be seased upon and confiscat by the said Mrs Anderson and applied to her own proper use, and behoove, And the saids Lords of Her Majestys Privy Councill have refused and hereby refuses the desyre of Mrs Andersons petition given in to them as to Flavells works, and hereby allows these works to be printed imported and sold by any person whatsoever.

No. XXX.

Commissio Mri Roberti Freebairn de Officio Architypographi Regij, 11mo *Augusti* 1711. [*Reg. Mag. Sig.* (Paper Register) xv. No. 388.]

Anna Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Regina Fideique Defensor Omnibus probis hominibus ad quos

præsentes Literæ nostræ pervenerint Salutem. Quandoquidem nos ad memoriam revocantes Quod Carolus Rex Secundus Beatæ memoriæ per suas literas patentes sub magno Sigillo de data duodecimo die mensis Maij anno Domini millesimo sexcentesimo septuagesimo primo fecit et constituit Andræam Anderson ejusque assignatos seu substitutos solos atque unicos Typographos suos pro antiquo Regno suo Scotiæ durante spatio quadraginta unius annorum post dictæ donationis datam Et concessit illi ejusque prædictis dictum Imprimendi officium pro Rege infra dictum Regnum cum omnibus privilegiis libertatibus proficuis immunitatibus casualitatibus mercedibus et Sallariis consuetis de Scaccario suo debitis cum omnibus aliis emolumentis eidem spectantibus Eique ejusque prædictis nullisque aliis potestatem dedit infra dictum Regnum Imprimendi et de eodem exportandi et in aliquibus dicti Regni Dominus vendendi Biblia sacra Psalmorum Libros aliosque Libros et volumina inibi content. et mentionat. modo in longum in dicta Donationis Litera specificat. Et nos perpendentes tempus inibi mentionat. breviter expiraturum et præterea quam utile et necessarium fuerit nobis nostrisque subditis hujus partis regni nostri Magnæ Britanniæ Scotiæ vocat. in dicto officio tempestive provideantur Et Nos ex nostra regia et regali cura cupientes ut illi in quos dictum officium collaturæ sumus Materiam et instrumenta typographica comparent quo promptius et commodius nobis nostrisque subditis in ista parte Regni nostri inservient ac etiam quamprimum prior Donatio expiraverit Persona idonea et qualificata id munus suppleatur Ac nos intelligentes peritiam fidem fidelitatem et diligentiam dilecti nostri M^ri^ Roberti Freebairn Bibliopoli et Typographi Edinburgensis qui pro se heredibus suis sociis assignatis aut substitutis suscipiet omnes libros sive ad res privatas sive publicas spectantes emendatius deinceps edendos quam antea a suis in dicto officio prædecessoribus plerumque factum fuit Cumque etiam Nos sufficienter certiores factæ sumus de benemeritis dicti M^ri^ Roberti Freebairn et inconcussa ejus fide In Regimen Monarchi cumque Regalem prerogativam deque ejus studio et peritia Scientiam et Eruditionem publice promovendi ejusque facultate Officinas Typographicas omnibus necessariis instrumentis instructas erigendi

Noveritis igitur Nos fecisse nominasse et constituisse secuti per præsentes facimus nominamus et constituimus dictum M^rm Robertum Freebairn solum atque unicum Typographum nostrum in hac parte regni nostri Scotiæ vocata et hoc pro spatio quadraginta unius annorum post dicti M^ri Roberti Freebairn ad dictum Officium Introitum quod per præsentes immediate post dictam donationis expirationem incipere et plenum effectum sortire declaratur (hæc præsens Litera absque præjudicio tempori inibi specificat. Dan. et Conceden. illi ejusque prædict. non obstante quovis acto vel actis Concilij in aliorum gratiam) solum privilegium Imprimendi Biblia Sacra Nova Testamenta Psalmorum Libros et Libros præcum communium in omnibus voluminibus juxta usum et consuetudinem quæ in nostris Magnæ Britanniæ et Hiberniæ Dominiis obtinet Ac etiam solum privilegium Imprimendi et Re-imprimendi Acta Parliamentorum Ædicta Proclamationes omnesque Chartas pro publicorum officiorum usu Imprimend. Et generaliter quodcunque authoritate emittetur Et similiter solum privilegium pro futuro omnes libros communium vel municipalium Legum Scotiæ Imprimend. Ac etiam solum privilegium Re-imprimendi omnes Acta Parliamentorum Librosque communium et municipalium Legum Scotiæ quandocunque concessa eorundem nostro præsenti Typographo aliisque particularibus personis respective expiraverint Prohiben. per hanc Donationis Literam omnes tam nativos quam extraneos Imprimere vel re-imprimere seu imprimi vel re-imprimi facere importare seu importari causare infra quemvis locum vel a quovis loco extra illam partem Regni nostri Magnæ Britanniæ Scotiæ vocat. aut a locis transmarinis (absque dicti M^ri Roberti Freebairn ejusque prædict. mandato et licentia) Biblia Sacra Nova Testamenta Psalmorum Libros Libros Præcum Communium Acta Parliamentorum Ædicta Proclamationes libros communium et municipalium legum Scotiæ In quibusvis voluminibus vel quosvis supramentionat. libros Chartas et libellos specialiter dicto M^ro Roberto Freebairn ejusque prædict. privilegio concess. Sub pœna Confiscationis omnium talium librorum sic Impress. vel importat. unum ejusmodi dimidium nobis et alterum ad usum dict. M^ri Roberti Freebairn ejusque prædict. Conceden. similiter per præsentes dicto M^ro Roberto

Freebairn ejusque heredibus assignatis et substitutis solitas mercedes proficua et casualitates ad dictum Officium pertinen. Et content. in prioribus Donationis Literis per quosvis nostrorum prædecessorum regiorum nostris vel illorum Typographo vel Typographis quovis tempore præterito concess. sicuti per præsentes ab omnibus publicis vectigalibus vigiliis annuitatibus aliisque oneribus quibuscunque liberati sunt et hoc pro dicto spatio quadraginta unius annorum Fruend. Utend. et Gaudend. per dictum M^rm^ Robertum Freebairn ejusque prædict. tam plenarie ac libere in omnibus respectibus et ad omnes intentus et proposita quam nostri vel illorum priores dict. Typographi virtute suorum officiorum et locorum quovis tempore præterito ad dictum officium proprie pertinere dignoscentur Præcipiend. per præsentes Barones Scaccarij nostri aliosve reddituum nostrorum in Scotia Receptores præsentes vel futuros promptè respondere solvere et tradere dicto M^ro^ Roberto Freebairn ejusque prædict. mercedes solitas et consuetas in Computis Scaccarij annuatim Typographo nostro debitas durante termino annorum supraspecificat. Et ejus vel illorum desuper Syngraphæ ut eadem in computis Scaccarij nostri pro acceptis habeantur sufficientes erint. In cujus rei Testimonium Sigillum nostrum per Unionis Tractatum custodiend. et in Scotia vice et loco magni Sigilli ejusdem utendum Ordinatum appendi Mandavimus. Apud Aulam nostram de Windsor Castle undecimo die mensis Augusti anno Domini millesimo Septingentesimo undecimo annoque regni nostri decimo.

Per Signaturam manu S. D. N. Reginæ suprascript.

No. XXXI.

Commissio Joannis Basket et Agnetæ Campbell, de Officio Conjunctorum Architypographorum in Scotia, 6to Julij 1716. [*Registrum Magni Sigilli*, (Paper Register) V. xvi. No. 155.]

Georgius Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideique defensor Omnibus probis hominibus ad quos præsentes Literæ nostræ pervenerint Salutem. Quandoquidem nos intelligentes Quod Carolus Rex ejus nominis secundus beatæ memoriæ per Literas suas patentes sub magno Scotiæ Sigillo de data duodecimo die mensis Maij Anno Domini millesimo sexcentesimo septuagesimo primo statuit et constituit Andream Anderson hæredes suos assignatos vel substitutos solos atque unicos Typographos nostros pro antiquo nostro Scotiæ Regno durante spatio quadraginta unius annorum post dictæ donationis datam quod nunc elapsum est Similiter nos per Literas nostras patentes de data octavo die mensis Decembris Anno Domini millesimo septingentesimo decimo quarto Nominavimus Constituimus et ordinavimus Magistrum Robertum Freebairn bibliopolam et Typographum Edinburgi hæredes suos assignatos et substitutos solos atque unicos nostros Architypographos in ea parte regni nostri Magnæ Britanniæ Scotia vocata durante spatio quadraginta et unius annorum ab et post datam dicti Diplomatis quod nunc irritum evasit per prodigiosam suam accessionem ad nuperam perduellionem et se Typographum existentem æmulo nostrorum regnorum Perthi atque ex eo tempore fugitivum Nosque certiores facti de facultatibus et qualificationibus Joannis Basket Londinensis Typographi et Agnetæ Campbell viduæ prædictæ Andreæ Anderson ad promovendum dictum opus Typographiæ conjunctim Et nos ex proprio motu volentes (laudabili exemplo regiorum nostrorum prædecessorum) profectui artis adeo utilis in ea parte dominiorum nostrorum favere benigne

percupimus ut tesseram regii nostri favoris in dict. Joannem Basket et Agnetam Campbell conjunctim novam donationem dicti officij conferre IGITUR Nos supramentionat. Diploma in favorem dicti Magistri Roberti Freebairn una cum omnibus aliis donationibus et literis patentibus seu diplomatibus (si quæ sint) ad dictum Typographiæ officium per nos aut regios nostros antecessores sibi confect. revocamus annullamus irrita cassa et vacua pronunciamus Et nominavimus constituimus et ordinavimus sicuti nos præsentium tenore nominamus constituimus et ordinamus dictos Joannem Basket et Agnetam Campbell conjunctim hæredes suos assignatos et substitutos nostros solos atque unicos Architypographos in ea parte Magnæ Britanniæ Scotia vocata idque ad spatium quadraginta et unius annorum ab et post datam præsentium cum plenaria potestate ipsis dictis Joanni Basket et Agnetæ Campbell conjunctim eorumque hæredibus assignatis seu substitutis prædictis exercendi fruendi et utendi dicto munere et officio durante spatio prædicto cum omnibus perquisitis emolumentis immunitatibus exemptionibus et privilegiis quibuscunque eidem spectan. in quantum consistunt cum Articulis Unionis et legibus Magnæ Britanniæ nunc in existentia et speciatim solum et unicum privilegium imprimendi in Scotia Biblia Sacra Nova Testamenta Psalmorum Libros et Libros præcum communium Confessiones fidei Majores et Minores Catechismos in lingua Anglicana Nec non solam potestatem imprimendi et reimprimendi Acta Parliamentorum Edicta Proclamationes omnesque alias Chartas in usum nostrorum publicorum in Scotia officiorum imprimendas et generatim quodcunque ibidem publicandum erit ex authoritate Regiminis imprimendi et reimprimendi PROHIBEN. tenore præsentium omnes alias personas quascunque tam nativos quam extraneos imprimere vel re-imprimere seu imprimi vel re-imprimi in Scotia facere importare seu importari causare in Scotiam a quibusvis locis transmarinis ullos dictorum Librorum et Cartarum publicarum supramentionat. absque licentia et authoritate a dictis Joanne Basket et Agneta Campbell eorum hæredibus assignatis et substitutis sub pœna confiscationis omnium talium Librorum et Chartarum publicarum ita impress. seu importat. unum ejusmodi dimidium nobis et alterum dimidium in usum dict. Joannis

Basket et Agnetæ Campbell ipsorumque prædict. nec non una cum (pro spatio et termino prædict.) tali annua pensione qualis perprius statuta fuerit vel nos in posterum statuemus tanquam feodum et sallarium ad dict. officium pertinen. In cujus rei testimonium præsentibus Sigillum nostrum per Unionis Tractatum custodiend. et in Scotia vice et loco Magni Sigilli ejusdem utend. ordinatum appendi mandavimus. Apud Aulam nostram de St James's sexto die mensis Julij Anno Domini millesimo septingentesimo decimo sexto Regnique nostri secundo.

Per signaturam manu S. D. N. Regis suprascript.

No. XXXII.

Commissio Alexandri Kincade de Officio Architypographi S. D. N. Regis in Scotia, 21*st June* 1749. [*Regist. Magni Sig.* (Paper Regr.) V. xix. No. 10.]

Georgius Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fidei Defensor Omnibus probis hominibus ad quos præsentes Literæ nostræ pervenerint Salutem Quandoquidem nos intelligentes Quod noster regius pater Georgius Rex ejus nominis primus beatæ memoriæ per Literas suas patentes sub sigillo per Unionis Tractatum custodiend. et in Scotia vice et loco magni sigilli ejusdem utend. ordinat. de data sexto die Julij millesimo septingentesimo decimo sexto statuit et constituit Joannem Basket Londini Typographum et Agnetam Campbell viduam Andreæ Anderson conjunctim hæredes eorum substitutos vel assignatos solos ejus atque unicos Architypographos in ea parte sui regni Magnæ Britanniæ Scotia vocata durante spatio quadraginta unius annorum post datam dict.

Diplomatis Nosque certiores facti de facultatibus et qualificationibus Alexandri Kincade ad promovendum dictum opus typographiæ Et nos ex proprio motu volentes (laudabili exemplo regiorum nostrorum prædecessorum) profecto artis adeo utilis in ea parte dominiorum nostrorum favere, benigne percupimus ut tesseram regii nostri favoris in dict. Alexandri Kincade novam donationem dict. officii conferre initio inde sumpto et effectum sortiente ab et post diem super quem præfatum Diploma memorat. Joanni Baskett et Agneti Campbell concessum expirabit. Igitur nominavimus constituimus et ordinavimus tenoreque præsentium nominamus constituimus et ordinamus memoratum Alexandrum Kincade hæredes suos substitutos vel assignatos solum et unicum nostrum Architypographum in illa parte regni nostri Magnæ Britanniæ Scotia vocata Idque ad spatium quadraginta et unius annorum incipiend. ab et post expirationem Diplomatis de præsenti existentis per regium nostrum patrem Georgium Regem illius nominis primum beatæ memoriæ concessi sexto die Julij anno millesimo septingentesimo et decimo sexto dict. Joanni Basket et Agnetæ Campbell viduæ Andreæ Anderson conjunctim pro simili spatio quadraginta unius annorum cum plena potestate illi dicto Alexandro Kincade suisque hæredibus assignatis vel substitutis prædictis dicto munere et officio durante spatio præfato utendi exercendi et gaudendi cum omnibus perquisitis emolumentis, immunitatibus, exemptionibus et privilegiis quibuscunque ad eadem spectantibus in quantum consistunt cum articulis Unionis et legibus Magnæ Britanniæ nunc existentibus et speciatim solum et unicum privilegium imprimendi in Scotia Biblia Sacra, nova Testamenta, Psalmorum libros et libros præcum communium, Confessiones fidei, majores et minores Catechismos in lingua Anglicana necnon solam potestatem imprimendi et reimprimendi Acta Parliamentorum Edicta, Proclamationes, omnesque alias Chartas in usum nostrorum publicorum in Scotia officiorum imprimendas Et generaliter quodcunque ibidem publicandum erit auctoritate Regininis imprimendi et reimprimendi Prohiben. tenore præsentium omnes alias personas quascunque tam nativos quam extraneos imprimere vel reimprimere seu imprimi vel reimprimi in Scotia causare importare seu impor-

tari facere in Scotiam a quibusvis locis transmarinis ullos dictorum librorum et Chartarum publicarum supra mentionat. absque licentia vel authoritate a dicto Alexandro Kincade hæredibus suis assignatis vel substitutis sub pœna confiscationis omnium talium librorum et publicarum Chartarum ita impress. seu importat. in Scotia unum eorundem dimidium nobis et alterum dimidium in usum dict. Alexandri Kincade ejusque prædictorum Una etiam (pro spatio et tempore prædicto) cum tali annua pensione qualis perprius statuta fuerat vel sicut nos in posterum tanquam feodum et sallarium ad dictum officium pertinen. statuemus. In cujus rei testimonium præsentibus sigillum nostrum per Unionis Tractatum custodiend. et in Scotia vice et loco magni sigilli ejusdem utend. ordinat. appendi mandavimus Apud Aulam nostram apud Kensingtoun vigesimo primo die mensis Junij anno Domini millesimo septingentesimo quadragesimo nono Regnique nostri anno vigesimo tertio.

Per Signaturam manu S. D. N. Regis suprascriptam.

No. XXXIII.

Commissio Jacobi Hunter Blair, armigeri, et Joannis Bruce, armigeri, de officio Architypographi S. D. N. Regis in Scotia, 1785.

Georgius, Dei gratia, Magnæ Britanniæ, Franciæ, et Hiberniæ, Rex, Fidei Defensor, omnibus probis hominibus, ad quos præsentes literæ pervenerint, salutem : Quandoquidem nos intelligentes quod Regius noster avus, Rex Georgius, ejus nominis Secundus, beatæ memoriæ, per literas suas patentes, sub sigillo per Unionis tractatum custodiend. et in Scotia vice et loco

Magni Sigilli ejusdem utend. ordinat. datas vigesimo primo die Junii, anno Domini millesimo septingentesimo et quadragesimo nono, statuit et constituit Alexandrum Kincade, hæredes ejus, substitutos, vel assignatos, solum ejus atque unicum architypographum, in ea parte regni sui Magnæ Britanniæ Scotia vocata, —durante spatio quadraginta unius annorum, computand. ab et post expirationem diplomatis tunc existentis, per Regem Georgium, ejus nominis Primum, dedat. sexto die Julii, millesimo septingentesimo et decimo sexto, ad Joannem Basket et Agnetem Campbell conjunctim, pro simili spatio quadraginta unius annorum concessi: NOSQUE certiores facti de facultatibus et qualificationibus Jacobi Hunter Blair, armigeri, et Joannis Bruce, armigeri, ad promovendum dictum opus typographiæ conjunctim; ET VOLENTES (laudabili exemplo regiorum nostrorum prædecessorum) profectui artis adeo utilis, in ea parte dominiorum nostrorum, favere, benigne percupimus ut tesseram regii nostri favoris in dictos Jacobum Hunter Blair, et Joannem Bruce, novam donationem dicti officii conferre, initio inde sumpto et loco habito, ab et post diem in quem antea mentionat. diploma, dict. Alexandro Kincade concessum, expirabit. IGITUR NOMINAVIMUS, CONSTITUIMUS, et ORDINAVIMUS, tenoreq. præsentium NOMINAMUS, CONSTITUIMUS, et ORDINAMUS, memoratos Jacobum Hunter Blair, et Joannem Bruce, conjunctim, hæredes eorum, substitutos, seu assignatos, solos et unicos nostros architypographos, in illa parte regni nostri Magnæ Britanniæ, Scotia vocat. Idque pro spatio quadraginta unius annorum, computand. ab et post expirationem diplomatis, pro præsenti existentis, præfato Alexandro Kincade, pro simili spatio quadraginta unius annorum, concessi: CUM plena potestate ipsis Jacobo Hunter Blair, et Joanni Bruce, conjunctim, eorumq. hæredibus, assignatis, seu substitutis, antedict. præfato munere et officio, durante spatio antedicto, utendi, exercendi, et gaudendi, cum omnibus proficuis, emolumentis, immunitatibus, exemptionibus, et privilegiis, quibuscunq. eidem spectantibus, in quantum cum articulis Unionis, legibusq. Magnæ Britanniæ nunc existentibus, congruunt. ET SPECIATIM, solum et unicum privilegium imprimendi, in Scotia, Biblia Sacra, Nova Testamenta, Psalmorum libros, libros Precum Communium, Confessiones

Fidei, majores et minores Catechismos in lingua Anglicana ;— necnon solam potestatem imprimendi, et reimprimendi, acta Parliamenti, edicta, proclamationes, omnesq. alias chartas in usum nostrorum publicorum in Scotia officiorum, imprimendas : Et generaliter omne quod ibidem publicandum erit, auctoritate regali, imprimendi, et reimprimendi : PROHIBEN. per præsentes, omnes alias personas quascunque, tam nativos quam extraneos, imprimere, vel reimprimere, seu imprimi, seu reimprimi in Scotia causare, vel importare, seu importari facere in Scotiam, a quibusvis locis transmarinis, ullos dict. librorum, et chartarum publicarum, supra mentionat. absq. licentia vel auctoritate a dict. Jacobo Hunter Blair, et Joanne Bruce, hæredibus eorum, assignatis, vel substitutis, sub pœna confiscationis omnium talium librorum, chartarumque publicarum, ita impress. seu importat. in Scotia ; unius eorund. dimidii ad nos, alteriusq. $\frac{1}{3}$ in usum dict. Jacobi Hunter Blair, et Joannis Bruce, eorumque antedict. UNA ETIAM (pro spatio et termino prædict.) cum tali annua pensione qualis perprius statuta fuerat, seu sicut nos in posterum, tanquam feodum et salarium, dict. officio pertinen. statuemus. IN CUJUS REI TESTIMONIUM, præsentibus sigillum nostrum per Unionis tractatum custodiend. et in Scotia vice et loco Magni Sigilli ejusdem utend. ordinat. appendi mandavimus, apud Aulam Nostram apud St. James's, secundo die mensis Novembris, anno Domini millesimo septingentesimo et octogesimo quinto, regnique nostri anno vigesimo sexto.

Per signaturam manu S. D. N. Regis supra script.

No. XXXIV.

Commission to John Reeves, George Eyre, and Andrew Strahan, for the Office of Printer to his Majesty for England,—1799.

GEORGE the Third, by the Grace of GOD, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth,—to all to whom these presents shall come, greeting.—WHEREAS our royal ancestor, George the First, late King of Great Britain, &c. by his letters patent under his great seal of Great Britain, bearing date at Westminster, the 15th day of December, in the second year of his reign, for himself, his heirs, and successors, did give and grant to his beloved and trusty John Basket, of his city of London, bookseller, his executors and assigns, the office of printer to the said late King, his heirs and successors, of all and singular statutes, books, small books, acts of Parliament, proclamations, and injunctions, and bibles and new testaments whatsoever, in the English tongue, or in any other tongue whatsoever, of any translation, with notes or without notes; and also of all books of common prayer and administration of the sacraments, and other rites and ceremonies of the Church of England, in any volumes whatsoever theretofore printed by the royal typographers for the time being, or thereafter to be printed by the command, privilege, or authority of him, his heirs or successors; and also of all other books whatsoever which he had commanded, or should command, or his heirs or successors should command, to be used for the service of God in the churches of that part of his realm of Great Britain called England, and of all other books, volumes, and things whatsoever, by whatsoever name, term, title, or meaning, or by whatsoever names, terms, titles, or meanings, they were named, called, or distinguished, or any of them was

named, called, or distinguished, or thereafter should be named, called or distinguished, theretofore printed by the royal typographers for the time being, or then already by the Parliament of Great Britain in the English tongue, or in any other mixed tongue, published, printed, or worked off, or thereafter to be published, worked off, or put to the press, by the command, privilege, or authority of him, his heirs or successors, (except only the rudiments of the grammatical institutions of the Latin tongue) to have, enjoy, occupy, and exercise the said office, together with all profits, commodities, and advantages, pre-eminences and privileges of the same office, in anywise belonging or appertaining to the said John Basket, his executors and assigns, by him or themselves, or by his or their sufficient deputy or deputies, for the term of thirty years, to commence and be computed from and immediately after the expiration or other determination of the several and respective estates and interests in the said office, before that time, granted by Our Royal predecessor, Ann Queen of Great Britain, by her letters patent, made under her Seal of Great Britain, bearing date, at Westminster, the 13th day October, in the 12th year of her reign, to her beloved subjects Benjamin Took and John Barber, of her city of London, booksellers, and each of them, their and each of their executors and assigns, to have, enjoy, exercise, and occupy the said office, to the said Benjamin Took and John Barber, for the term of thirty years, to commence and be computed from and immediately after the expiration, or other sooner determination of the several and respective estates and interests before that time granted by Our late Royal predecessor Charles the Second, late King of England, Scotland, France, and Ireland, by his letters patent made under his Great Seal of England, bearing date at Westminster, the 24th day of December, in the 27th year of his reign, to his beloved subjects Thomas Newcomb and Henry Hills, to have, enjoy, exercise, and occupy the said office, to the said Thomas Newcomb and Henry Hills, for the term of thirty years, which last mentioned term of thirty years, begun at and from the 10th day of January 1709, as by the said letters patent made to the said John Basket, amongst other things in the same contained, relation being thereunto

had, will more plainly and at large appear. Now KNOW YE, that We, for divers good causes and consideration, Us at this time specially moving, of Our special grace, certain knowledge, and mere motion, have GIVEN and GRANTED, and by these presents for us, our heirs and successors, do GIVE and GRANT unto Our beloved and trusty John Reeves, of Cecil street, within the liberty of the Savoy parcel of Our dutchy of Lancaster; George Eyre, of Lyndhurst, in Our county of Hants; and Andrew Strahan of our city of London, stationer, and each of them, their and each of their executors, administrators, and assigns, the office of printer to us, our heirs and successors, of all and singular statutes, books, small books, acts of parliament, proclamations and injunctions, Bibles and New Testaments whatsoever in the English tongue, or in any other tongue whatsoever of any translation, with notes or without notes, and also of all books of common prayer and administration of the sacraments, and other rites and ceremonies of the Church of England, in any volumes whatsoever heretofore printed by the royal typographers for the time being, or hereafter to be printed, by the command, privilege, or authority of us, our heirs or successors, and also of all other books whatsoever which we have commanded, or hereafter shall command, or our heirs or successors shall command, to be used for the service of God, in the churches of that part of our realm of Great Britain called England, and of all other books, volumes, and things whatsoever, by whatsoever name, term, title, or meaning, or by whatsoever names, terms, titles, or meanings they are named, called, or distinguished, or any of them is named, called, or distinguished, or hereafter shall be named, called, or distinguished, heretofore printed by the royal typographers for the time being, or by the parliament of Great Britain, in the English tongue, or in any other mixed tongue already published, printed, or worked off, or hereafter to be published, worked off, or put to the press by the command, privilege, or authority of us, our heirs or successors (except only the rudiments of the grammatical institutions of the Latin tongue): And them the said John Reeves, George Eyre, and Andrew Strahan, and their executors and assigns, printers to us, our heirs and successors, of all and singular the premises,

We make, ordain, and constitute, by these presents, to have, enjoy, occupy, and exercise the said office, together with all profits, commodities, and advantages, pre-eminences, and privileges to the said office, in anywise belonging or appertaining to the said John Reeves, George Eyre, and Andrew Strahan, their executors and assigns, by themselves, or by their sufficient deputy or deputies for, and during the term of thirty years, to commence, and be computed from, and immediately after the expiration or other determination of the estate and interest in the said office, before granted to the said John Basket, his executors and assigns, or when, or as soon as the said office shall be vacant, and shall happen by any means whatsoever to be in our hands, in the same manner as if such grant had not been made: AND FURTHER, we, of our more abundant grace, certain knowledge, and mere motion, do give and grant to the said John Reeves, George Eyre, and Andrew Strahan, and each of them, their, and each of their executors, administrators, and assigns, during the said term of thirty years last above mentioned, authority, privilege, and faculty of printing all, and all manner of abridgements, of all statutes and acts of Parliament whatsoever published, or hereafter to be published: AND IN ORDER that no one do presume to impede, or in anyways disturb the said John Reeves, George Eyre, and Andrew Strahan, or either of them, their, or either of their executors, administrators, or assigns, during the aforesaid term to them granted in the said office, in rightfully and duly exercising their said office, or to do any thing whatsoever, whereby the profits which may accrue to the said John Reeves, George Eyre, and Andrew Strahan, or any of them, their, or either of their executors, administrators, or assigns, by reason of the said office, may be diminished,—We PROHIBIT and ENJOIN, and by these presents, for us, our heirs, and successors, forbid all and singular the subjects of us, our heirs, and successors whatsoever and wheresoever abiding, and all others whatsoever, that neither they nor any of them, neither by themselves, or by any other or others during the said last mentioned term of 30 years, print, or cause to be printed, within that part of our realm of Great Britain, called England, any volume, book, or work, or any volumes,

books, or works, the printing of which we by these presents have granted to the said John Reeves, George Eyre, and Andrew Strahan, their executors and assigns, nor any Bibles or New Testaments in the English tongue, of any translation, with notes or without notes, nor any books of common prayer and administration of the sacraments, and other rites and ceremonies of the Church of England, nor any other books by us, our heirs, or successors, for the service of God, in the churches of us, our heirs, or successors, commanded, or to be commanded to be used, nor import, or cause to be imported, sell, or cause to be sold, any books, volumes, or works whatsoever, in the English tongue, or in the English, mixed with any other tongue whatsoever, printed in parts, beyond the seas, or in foreign parts, out of that part of our realm of Great Britain called England, being such as have been, or may be lawfully printed by the said John Reeves, George Eyre, and Andrew Strahan, or either of them, their, or either of their administrators, executors, or assigns, or their, or either of their deputy or deputies, by virtue of these presents, under the penalties and forfeitures by the laws and statutes of this realm, in that behalf made and provided, or that may be hereafter provided: Forbidding also, and by these presents, for us, our heirs, and successors, firmly prohibiting and enjoining that no other shall in any manner, or by any colour or pretext whatsoever, presume or dare to reprint in any manner whatsoever, or purchase elsewhere printed, any book or books, or any work or works whatsoever, that may be printed by the said John Reeves, George Eyre, and Andrew Strahan, or either of them, their, or either of their executors, administrators, or assigns, by virtue of these presents. AND FURTHER, of our more abundant grace, we have granted and given licence, and by these presents we do, for us, our heirs and successors, grant and give licence to the said John Reeves, George Eyre, and Andrew Strahan, them, and each of them, and to their, and each of their executors, administrators, and assigns, that they, or any of them, during the aforesaid term, to them above granted, may take, retain, and hire workmen, in the art and mystery of printing, to work in such art or mystery at the appointment, and by the assignment of the said John

Reeves, George Eyre, and Andrew Strahan, their executors or assigns, for such time or times during which the said John Reeves, George Eyre, and Andrew Strahan, their executors or assigns, or any of them, shall want such workmen; We have also GIVEN and GRANTED, and by these presents, for us, our heirs and successors, do give and grant to the said John Reeves, George Eyre, and Andrew Strahan, and each of them, their, and each of their executors, administrators, and assigns, for exercising the said office, a fee or annuity of six pounds thirteen shillings and fourpence of lawful money of Great Britain by the year, to have, and annually receive the said fee or annuity of six pounds thirteen shillings and fourpence to the said John Reeves, George Eyre, and Andrew Strahan, their executors, administrators, and assigns, at the feasts of Easter and St Michael the archangel, to be paid in equal portions during the said term of thirty years above by these presents granted, from the treasury of us, our heirs, and successors, at the receipt of our Exchequer at Westminster, by the hands of the Commissioners of our treasury, or the treasurer and chamberlain, of us, our heirs and successors, for the time being, COMMANDING, and by these presents, for us, our heirs and successors, firmly enjoining and ordering all and singular mayors, sheriffs, bailiffs, constables, officers, ministers, and subjects whatsoever of us, our heirs and successors, that they be, from time to time, when there shall be occasion, assisting, attendant, and aiding as they ought, to the said John Reeves, George Eyre, and Andrew Strahan, their executors and assigns, in the execution of the aforesaid office, and in the doing of all and singular the things specified in these our letters patent to be done: PROVIDED always, and our will and pleasure nevertheless is, that these our letters patent are and shall be deemed to be made and granted, and to be valid and effectual, only upon condition that the said John Reeves, George Eyre, and Andrew Strahan, their executors and assigns, from time to time, and at all times during the term herein before granted, and when and as often as they, or any of them, shall be required by our Lord High Treasurer, or the Commissioners of our Treasury for the time being, or at his or their instance, or by his or their order, to print for, and supply to us,

our heirs or successors, or in any manner whatsoever, for or on our behalf, or for our service, any of the articles, matters, or things, which, by virtue of these our letters patent, and the office hereby granted, they, or any of them, are authorised to print; and for or in respect of the printing and supplying of which, they can or may be entitled to require, demand, or receive any price or payment whatsoever, over and above the said fee hereby granted, shall, and do accordingly print for and supply to us, our heirs and successors, or in such manner for or on behalf, or for our service, all and every such articles, matters, and things respectively, at and for such prices and rates of payment for the same respectively as to our said Treasurer, or Lords of our Treasury for the time being, shall appear to be just and reasonable. LASTLY, we will, and by these presents, for us, our heirs and successors, do grant unto the said John Reeves, George Eyre, and Andrew Strahan, that these our letters patent, or the inrolment of the same, shall be good, firm, valid, and effectual in the law, notwithstanding the not rightly or fully reciting the before recited letters patent, or the not naming, or not rightly naming or mentioning the office and premises aforesaid, or any of them, and notwithstanding any other omission, imperfection, defect, thing, cause, or matter, whatsoever to the contrary thereof in any wise notwithstanding. IN WITNESS WHEREOF, we have caused these our letters to be made patent. Witness ourself, at Westminster, the 8th day of July, in the 39th year of our reign.

By writ of Privy Seal.

No. XXXV.

Opinion believed to be of Mr. Solicitor-General Kennedy, as to the validity of Freebairn's Patent.

[Not dated, but must have been in 1711 or 1712.]

From a Collection of Papers, intituled "Law Papers, Attorney and Solicitor General's Reports," &c. in his Majesty's State Paper office, Vol. VIII. page 150.

Answers to Mr. Freebairn's Queries concerning his Gift of Queen's Printer in Scotland.

THERE being a gift under the Great Seale, appointing Mr. Robert Freebairn Queen's Printer in Scotland for the term of forty-one years, to commence from the expiration of the gift granted to Andrew Anderson, with a clause prohibiting the importation of Bibles, New Testaments, &c. from any place whatsoever, and with a right to all emoluments, fees, and profits belonging to the said Office: The following queries as to the validity and sufficiency of that gift are desired to be answered.

Q. 1*st.*—If it was necessary that such a gift should have passed the Exchequer, and not "*per saltum*," though it is so ordained by the gift?

To this it is *answered*, That the gift of being Queen's Printer being but a commission, not requiring the payment of any composition, nor bearing any "*reddendo*," there appears to be no necessity of passing the same in Exchequer, but that it may pass "*per saltum*," by virtue of the warrant therein contained, as commissions of greater importance have usually passed. This is evident, first, from the precedent in Andrew Anderson's

gift, which was passed *per saltum*, as Mr. Freebairn's has done; secondly, from the practice in other gifts: for not to mention all the offices of the Crown, the Commissions of Justiciary, Lord Advocate, Treasurer Deput, Justice Clerk, Director of the Chancery, and even commissions to Sheriffes, do all pass *per saltum*, even though they contain determined pensions and salaries, and though the Sheriffes are accountable for a part of the revenues. The reason is plaine, because they pay no composition at granting, nor any *reddendo* while they are enjoyed: all they are bound to, is to the faithful administration of their respective trust, which is quite forreign to the management of the revenue.

Q. 2d.—If it is any nullity in the gift, that the warrant of it is countersigned by the Secretary, and not by the Lord High Treasurer?

Ans.—It is thought to be no nullity in the gift, that the warrant of it is not countersigned by my Lord Treasurer, the same being countersigned by the Secretary, as such commissions used to be. In this point Mr. Freebairn has acted conform to the present practice in such cases; and if that matter has of late become disputable, it is humbly conceived that, while it remains undetermined, none of her Majesties subjects following *bona fide* the practice used before that point became controverted will suffer. And, with submission, it would seem that if any guifts be good without being countersigned by the Lord High Treasurer, this must be one, because it had no relation to any branch of the revenues.

Q. 3d.—The former gift to Andrew Anderson of that office being shortly to expire, is it any nullity in Mr. Freebairn's gift, that it is granted before the expiration of the former, since it is onely to commence and take effect at the expiration of Anderson's gift?

Ans.—It is thought that the former gift of that office for a certain number of years being shortly to expire, it is no nullity in Mr. Freebairn's gift that it is granted before the expiration of the former, since it is only to commence and take effect at the expiration thereof; and it appears, that even the said former gift was granted before the expiration of a prior gift to another person for a certain number of years, but the entry and com-

mencement to the said office declared to take effect after expiring of the said prior gift.

For clearing the above answer, it is proper to consider from whence that maxim, upon which this querie is founded, had its rise, and to what cases it is applicable; the maxim that every new gift ought to contain the way by which the former became void, or as it is called in law the "*modus vacandi*," had its rise from the canon law, and was particularly calculated for church benefices; these were considered not to bee temporary, but perpetual offices, as far as the life of man could make them soe; and, therefore, the canons did provide, that no presentations could be made to a benefice before it was vacant, not even to take effect, when it should become soe. The design of this law, was to prevent the bad consequences that might attend such grants, which might prove a temptation to the expectant to wish for, if not attempt, the death of the present possessor: this law became afterwards to be applied to civill offices, where the case was paralell, that is, where the offices were for life; but to apply it to offices during pleasure, or for a term of years, is alltogeather inconsistent with the reason of the law, because it only takes place in a case where two gifts may come to interfere or clash together, which cannot fall out in offices during pleasure, the last commission making the former void; and in offices for a term of years, the two gifts can never meet in opposition one to another, the last takeing its effectual commencement only from the expiration of the former; but in the present case, the preamble of the last gift beareing that the former is shortly to expire is in place of a "*modus vacandi*;" and in this office of Queen's Printer, it seems to be necessary, that the gift should preceed the time of its commencement, that materialls suetable to the undertaking may be provided for carrying it on, and no time lost in serving her Majestie and the subjects.

Q. 4th.—If that clause prohibiting the importation, from any part without Scotland, be contrary to the Treaty of Union, by which the United Kingdoms are brought under the same regulations, and a full and free intercourse of trade is established?

Ans.—It appears that the clause prohibiting the importation from any part without Scotland, is not consonant to the (words) of the treaty, by which all parts of the United Kingdom are brought under the same regulations; and a full and free intercourse of trade is established, and to be under the same prohibitions and restrictions. The prohibitory clause, though at first view it may indeed appear not consonant to the Articles of Union, yet, if the design of the treaty be considered, that clause will not seem inconsistent with it; for, first, the general design of the treaty, in matters of trade, was to bring the United Kingdom to one equality; that equality seemed in most cases to require a mutual freedom of importation and exportation, and a full freedom and intercourse of trade, which, for that reason, was established on the fourth Article. But if there is a case where the designed equality of trade does, for its preservation, require a mutual prohibition, such prohibition, in that case, must be understood to be consonant to the design of the treaty. And if it be allowed that the Queen's Printer in England, ever since the Union, does enjoy the benefitt of the prohibitory clause in his gift, then to preserve the designed equality, the like prohibition ought to take place in Scotland, else certain commodities, as Bibles, &c. are importable into Scotland, but not from thence into England, which destroys the equality of trade; and the only remedy is by the like prohibition on both sides: Secondly, By the sixth Article of the treaty, the United Kingdom is to be under the same prohibitions, restrictions, and regulations of trade, which on the present case, cannot take effect, without a prohibition in Scotland, answering to that in England enjoyed by the Queen's Printer there. Thirdly, To take the case in another view, the commerce of books, containing the sacred and civill lawes of a nation, must be managed by quite different regulations from other branches of trade. Her Majestie is guardian of these Sacred Volumes, and as such, may appoint such regulations as to her seem proper, for preserving those books from being corrupted, and to have them distributed among her subjects att reasonable rates; and if, for attaining that end, her Majestie thinks it proper to have one Printer in North, and another in South Britain, with a mutual prohibi-

tion of incroaching one upon another, the United Kingdom must be subject to that regulation; and this must be taken, in the present case, to be the meaning of the sixth Article, declaring the United Kingdom to be under the same regulations of trade. Fourthly, These local restrictions and prohibitions are so far consistent with a united state, that nothing is more ordinary then to see one towne have the freedom of importing and exporting certain commodities, which are prohibited to be brought in or carried out in other. Thus market towns enjoy certain priviledges in tradeing, which are denyed to other towns and villages; the royal bourroughs in Scotland have the sole priviledge in selling (by wholesale) wines, wax, silks, spicerys, and all materialls for dying. Trade is often confined to companies and societies, and in a word, commerce, in many cases, could not be carried on without such methods: nor is it materiall to inquire by what authority such priviledges have been granted; it is enough for the present purpose, that, from these examples, it appears they are not thought inconsistent with the state of a united nation; and if her Majestie has power to make regulations of printing these foresaid volumes, why she may not putt restrictions upon the sale of them when it seems necessary, it is hard to conceive.

Q. 5th.—If that clause should be found contrary to the Union, will itt soe farr affect the gift, as to make it entirely void? or, will it onely operat a restriction of the gift, as to that clause?

Ans.—Albeit the foresaid clause appears contrary to the terms of the Union, yet it is thought the same will not make the gift wholly void, but onely that the clause prohibiting the said importation may be void, and of noe effect. For, supposing the clause to be inconsistent with the Union, what else can in reason be supposed to be the consequence of it, than that it must fall, and cannot be executed. It is a principall in law, that *utile per inutile non vitiatur*, and it is common sense too; for though such a prohibitory clause is a very proper encouragement to the Queene's Printer to enable him to carry on his trade with better successe, yet it is not inseparable from the office; and therefore, as the gift would have been good without it, soe the illegallity of that clause cannot affect the gift, of

which it is noe essential part: in a word, if there were a hundred such illegal clauses, they could not make void the office, which must stand good soe long as there is noe law to the contrary.

Q. 6th.—This gift being now past the Great Seale as it stands, In what manner can it be reduced, and before what judicatory, and who has the title to pursue a reduction of it?

Ans.—The gift being passed, in manner aforesaid, it's thought the reduction thereof comes properly to be prosecuted before the Lords of Sessions, att the instance of her Majesties Advocates. There is very little necessary to be said to support the answear to this querie; the gift is now become Mr. Freebairn's property, and cannot be taken from him, without a fair tryall at law; and if there does lye an action for making void any parte of the gift, noe person has right to prosecute it, except her Majestie, since noe person has suffered prejudice by it, nor can before the commencement of the gift, and her Majestie cannot be prejudiced by any clause supposed to be illegal, for such clauses can never be putt to execution, and the very endeavouring to execute them, may be prevented by a proper deed, to be made by Mr. Freebairn, renouncing the benefitt of such clauses without the necessity of any action att law, since he is still master of his own gift, and soe long as he is soe, he may not only restrict it, but might obtain a new one in such termes as her Majestie should think fitt, containing such restrictions of the former, as were necessary; because these two gifts, being in one person, could never come to clash together, and being relative one to another may very properly be said to bee but one gift.

These queries doe exhaust all that can, with any shew of reason, be urged against this gift in perticular; but because some noise is made against all such gifts in general, as if they were unlawful monopolys, for clearing this matter, it's fit to consider the original design of such gifts with a perticular view to the sacred bookes and books of the law.

The great care that was necessary to be taken to preserve those books from being corrupted, for secureing the subject from being led into errors, either on their spirituall or temporall concerns, did certainly give rise to such grants; for the most cer-

taine way of providing against this evill, was by the Sovereign's appointing such persons, for the management of that trust, as would be answerable for their behaviour, being under the immediate hazard of the royal displeasure, and of looseing the benefits of their grants, if they did not execute their office, so as by their attempting it, they were bound to do, so that such a monopoly is founded on good and solid reasons.

As to books of the law, those that are already authors, have no reason to complain of this gift, because they have already obteined priviledges for printing their own books for a term of years, and such as design to be authors may take the benefite of the late Act of Parliament at a small charge. The other branches of Mr. Freebairn's gift cannot be quarrelled, being the Queen's own worke.

No. XXXVI.

Opinion of Sir James Steuart as to the Validity of Freebairn's Patent.

[Not dated, but must have been in 1711 or 1712.]

From a Collection of Papers, intituled "Law Papers, Attorney and Solicitor General's Reports," &c. in his Majesty's State Paper Office, Vol. viii. page 152.

MEMORIAL.

I HAVE considered the Patent under the Great Seal of Scotland, to Mr. Robert Freebairn, to be her Majesty's Printer there, after the expiration of the gift formerly made to Andrew Anderson, with the objections made to this new gift, relating to the legality of some clauses contained therein; and do with all submission offer my opinion thereon as follows.

And *imo*, Where it is objected that this Patent ought to have passed the Exchequer, and not be directed to the Great Seal "*per Saltum*;" Such indeed was the former method of passing such Patents in Scotland, to the effect that both her Majesties interest, and any pretence that others might have against them, might be the better advised. But of late this custom hath not been so much observed, but gifts of the like nature have been directed to the Great Seal "*per Saltum.*"

2do, That this new Patent could not be regularly granted before the former Patent was actually expired; but seeing this new Patent expressly provides that the same shall only begin and take effect after the expiring of the foresaid former gift, this objection appears to be of no other import, save that until the former gift be expired, and this new Patent commence, the new Patentees have no *jus quæsitum*, but her Majestie in the meantime may review or revock the same at her pleasure.

3tio, It's objected, that this Patent grants the only privilege of printing Bibles, &c. as also of printing and reprinting Acts of Parliament, &c. and that notwithstanding of any Act or Acts of Council in favour of others; and yet with this express proviso, When the respective grants of them to her Majesties present Printer, and other particular persons, shall expire, which seems to be incongruous and inconsistent.

4to, This Patent grants the sole privilege of printing and reprinting, not only Acts of Parliament, &c. but in general of every thing to be published by authority; which, considering that the government hath the superior inspection of the press, and authority over it, may be made a handle to hook in all books for which the publick authority may be obtained.

5to, The Patent grants the sole priviledge of printing and reprinting Acts of Parliament, and all public papers; and as to the first printing, there can be no question; but as to the reprinting of Acts of Parliament already printed, and where the power of printing the same hath been either given or sold to any person by the officers empowered to do so, the first copies printed appear by the Act of Parliament a° 8° Annæ Reginæ to be now the property of such persons to whom they were so given or sold, so that after the 10th of Aprill 1710, they have the

sole right and liberty of printing thereof for the terme of one and twenty years, albeit there be no such power provided in their respective grants, the only *salvo* expressed in this Patent.

6*to*, This Patent grants the sole privilege of printing, for the future, all books of the law, viz. the Common and Municipal Laws of Scotland, which appears to be illegal, and against the just liberty both of authors and printers, which, by no law or custom in Scotland, is restricted as to books of the law, more than to books of divinity or medicine, or any other science; and though it should be limited with respect to the said Act of Parliament, a° 8° *Annæ Reginæ*, giving to the authors of books to be printed the sole liberty of printing and reprinting them for the terme of fourteen years from the day of the first publishing; yet it seems still to be against law, that the just liberty of authors and printers of the said law books should be thus restrained, it being the plain design of the said Act of Parliament to establish and enlarge the privilege of authors, but not at all to restrain and limit the same, even after expiring of the said fourteen years.

7*mo*, This Patent expressly prohibits all persons to import, or cause to be imported, as well from England as from other places, any Bibles, Testaments, Acts of Parliament, and Books of the Law of Scotland, which prohibition may be thought illegal; because, first, the prohibiting or allowing of any goods or merchandise to be imported seems to be a subject proper for an Act of Parliament; and, 2°, it appears to be more directly contrary to the fourth Article of the Union, which gives a free intercourse of trade through the whole United Kingdom; and, 3°, if there be any speciality as to printing, which yet is not expressed in the Articles of Union, this prohibition should at least be regulated according to the use observed and provided in favour of the Queen's Printer in England; but, for certain, the importation of Bibles from England hath not hitherto been prohibited in Scotland, whatever might have been the conception of former gifts.

8*vo*, This Patent prohibits the importation of Bibles from beyond sea, without Mr. Freebairn or his foresaids, their order and licence; which seems to give allowance to this Patentee of

the power and privilege of causing print and import Bibles from beyond sea, which appears to be contrary to all good policy, and to be of dangerous consequence.

9*no*, The Patent contains not only the pain of confiscation of all books printed or imported contrary to the same, but gives the half of the penalty to Mr. Freebairn or his foresaids, which seems to require the warrant of an express law.

10*mo*, The Patent grants, in general, the usual fees, profites and casualitys, belonging to the said office, and contained in any former letters of gift thereof, which may be of too great an extent to includ libertys and privileges formerly granted, but which cannot now be allowed; and therefore this general should at least be limited to such fees, profites, casualities and privileges, as her Majesties Printer is known to be lawfully possessed of.

Which objections I, with all submission, humbly conceive do militat against this new Patent granted to Mr. Robert Freebairn, not as her Majesties deed, but as obtained from her *periculo impetrantis*, and therefore seeing her Majestie is understood to do nothing against law, these objections do make the said Patent void, and either oblige him to renounce and surrender it, or at least subject it to be reviewed and rescinded, and so to make place for another more legal and warrantable.

(Signed) Ja. Steuart

OPINION OF COUNSEL.

We are of opinion that his Majesty's Printers for Scotland are not entitled to prevent the importation or the sale of Bibles in Scotland which have been legally printed in England. We have read with great attention the important and valuable detail of facts contained in the Memorial. But, though every thing there stated will be of importance in the trial of the question, it does not appear to us to be necessary, in merely giving our opinion on the case, to enter into the particulars of the history which is there so fully and ably detailed. We are humbly of opinion, that the right claimed by the King's Printers is of so peculiar a nature, both with reference to the object of it, when considered on general principles, and with a particular relation to the character and fundamental laws of the ecclesiastical establishment of Scotland, that nothing but the most express grant of such a right could be held to confer it, or to render it necessary for the Memorialists, or others, even to inquire into the competency or power of the Crown to make such a grant. We think that a great deal is said in this Memorial with regard to the legality of the grant of such an exclusive privilege by the Crown, which might deserve very deliberate consideration, if the case depended on that question, and which was not in the view of the Court when they decided the late case between the King's Printers and the Edinburgh Booksellers. But that is a question of great difficulty, especially in consequence of the long practice which has taken place; and it does not appear to us to be necessary to resolve it, in order to form a satisfactory opinion on the present case. For we are decidedly of opinion, that the Patent of His Majesty's Printers in Scotland, not only does not give any power of preventing the importation and sale of Bibles printed in England, but that it is pointedly and cautiously expressed for the very purpose of excluding this power; and it farther appears to us,

to be very clearly made out, that this form of the grant was introduced into the later Patents *dedita opera*, from a direct consideration of the terms of former Patents, and of the distinction between the case of Bibles printed in England and Bibles printed elsewhere.

On this ground, and although we certainly think that there is also great weight in the general views and historical inferences in the Memorial with regard to the nature of the right of the King's Printers as an exclusive privilege, we are of opinion that the particular privilege here claimed, is not at all given by the terms of the patent, which forms the title of the King's Printers. We are aware, that the First Division of the Court have decided otherwise; and though this must, of course, render us less confident in our opinion than we should otherwise have been, yet as that judgment was pronounced with great difference of opinion in the Court, and is now under Appeal; and as the subject is besides much more fully investigated in this Memorial than it was in the discussion of that case, we humbly think that, considering the great importance of the question, the Memorialists ought not to be discouraged by that circumstance from again trying it for their own interest, or the interest of the public; and that they may do so with considerable probability of a favourable issue, even in the Court of Session, and with very strong ground to expect that, if it shall be necessary to carry the case to Appeal, their plea will be sustained by the House of Lords.

(Signed) THOMAS THOMSON.
JAMES MONCREIFF.
J. S. MORE.

Edinburgh, January 31, 1824.

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